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THE WORKS OF WILLIAM H. PRESCOTT

TWENTY-TWO VOLUMES

VOL. VIII

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Montezuma Edition

HISTORY OF THE REIGN

OF

Ferdinand and Isabella

THE CATHOLIC

BY

WILLIAM H. PRESCOTT

EDITED BY

WILFRED HAROLD MUNRO

AND CONTAINING THE NOTES OF THE EDITION BY

JOHN FOSTER KIRK

Conjugio tali! Quæ surgere regna

Virgil, Æneid. iv. 47

Crevere vires, famaque et imperi
Porrecta majestas ab Euro
Solis ad Occiduum cubile.

Horat. Carm. iv. 15

VOL. I

AND LONDON

J. B. LIPPINCOTT COMPANY

QUEEN JOANNA BESIEGED IN A CHURCH AT GERONA

Page 154

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THE CATHOLIC

The works of W. H. Prescott

BY

WILLIAM H. PRESCOTT

EDITED BY

WILFRED HAROLD MUNRO

PROFESSOR OF EUROPEAN HISTORY IN BROWN UNIVERSITY

AND COMPRISING THE NOTES OF THE EDITION BY
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VOL. I

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J. B. LIPPINCOTT COMPANY

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TO THE

HONORABLE WILLIAM PRESCOTT, LL.D.

THE GUIDE OF MY YOUTH

MY BEST FRIEND IN RIPER YEARS

These Volumes

WITH THE WARMEST FEELINGS OF FILIAL AFFECTION

ARE RESPECTFULLY INSCRIBED

INTRODUCTORY NOTE

"THE History of the Reign of Ferdinand and Isabella the Catholic" was the first work to come from the pen of William Hickling Prescott. It was the result of more than ten years of labor. Conceived in January, 1826, it was published in the winter of 1837–38, when the author was almost forty-two years old.

When Mr. Prescott, handicapped by his semi-blindness, determined upon a life of literary occupation, he laid out a course of study that was remarkably comprehensive in its character. What was yet more remarkable, he adhered, in all its essential particulars, to the course marked out. It began with the elements of composition, and was designed both to perfect his literary style and to make him thoroughly familiar with the history of North America. In order to determine the style and characteristics of each, he read a part at least of the works of almost all the principal English writers. He also devoted an hour each day to the study of the principal Latin authors, like Cicero, Livy, and Tacitus, in order to master their style and method. The English course having been completed, he turned next to the study of French, and then of Italian literature. German he had also planned to master, but the state of his eyes prevented him from making the attempt. An accident directed him to the study of the Spanish

language. His attention, having once been attracted to the history of Spain, was thereafter steadfastly fixed upon it.

He chose a Spanish topic for his labors, because, as he himself said, it was more new than the Italian subject he had been considering and was also more interesting to the majority of readers. Hardly an age in European history was so remarkable for great characters and great events as that which covered the reign of Ferdinand and Isabella, and yet it had been almost entirely neglected by historical writers. It is not difficult to determine the reason for this neglect on the part of the Spaniards.

Free thought is essential to the writing of history, and the Inquisition for many generations stifled thought. During the sixteenth, seventeenth, and eighteenth centuries the difficulties of publication were enormous throughout the Spanish dominions. Many writers, whose intellects could not be entirely fettered, devoted themselves to the composition of works that were never intended to be printed. "The libraries of Spain teem with these still-born manuscripts cast by their authors like bread upon the waters." Not until the latter part of the eighteenth century were the Spanish scholars permitted to examine—and comment upon—the public and private documents of the land. The French invasions scattered those documents throughout Europe; but European writers were too much occupied with the Napoleonic wars to explore at once the rich fields to which the manuscripts invited them. The

American, Prescott, was the first man to take advantage of the opportunity afforded.

Having determined upon his subject, he at once set about the accumulation of materials for his work. As he had abundant means at his command, he immediately placed an order for the hundreds of books and the copies of the many manuscripts which he proposed to consult. From the archives of Simancas and Sevilla he was able to secure copies of the documents which the jealousy of the Spanish government had prevented Robertson from examining. The task which he hoped to complete in five or six years eventually consumed almost twice that time.

His first essay was a review of Condé's History of the Arabs in Spain. It was a general view of the character and civilization of the Arabs during their occupation of the Iberian Peninsula. Very few writers devote to their work the time and the attention he gave to this article. It occupied most of his working hours for nearly seven months. But when completed it was found to be unsuitable for the periodical for which it was intended, and it eventually appeared as Chapter VIII. of Part I. of this work.

It was not until October 6, 1829, that Prescott began to dictate the opening paragraphs of the "Ferdinand and Isabella," three years and a half having elapsed since he commenced to work upon his subject. More than a month passed before the chapter was finished, and its pages were afterwards twice rewritten.

His plan of work, suggested by Mably's vol-

ume, " Sur l'Etude de l'Histoire," was to give interest and utility to history by letting events tend to some obvious point or moral, paying such attention to the development of circumstances leading to this result as one would in the construction of a romance or a drama.* It was this general purpose which led him to bring Isabella so prominently forward in the first part of the history and to give the more conspicuous place to Ferdinand in the second part. The first has to do with the domestic policy of the two sovereigns, the second deals with their foreign policy and relations.

On the twenty-fifth of June, 1836, he finished his last page. No author had ever devoted more conscientious study and labor than did Prescott to his book, and yet no man was apparently so doubtful as to the way in which it would be received by the public. At first, influenced perhaps by the example of the Spanish writers whose manuscripts he had used, he proposed to lay it away upon his book-shelves for the benefit of posterity. He " did not flatter himself that he had achieved anything very profound; . . . he had only made a book illustrating an unexplored period, from authentic materials obtained with much difficulty and probably in the possession of no one library, public or private, in Europe." But the " plain veracious record of facts made to fill up a gap in literature till some one else should be found to make a better one " has remained from that day to this the stand-

* How admirably he carried out his plan in the " Conquest of Peru " has already been pointed out by the editor in his preface to that work.

ard work upon the period. The latest writers upon Spanish history have not hesitated to transfer its pages almost verbatim to their own volumes.

The sale of the work astounded the public. More copies were sold in America in five months than the publishers supposed could be disposed of in as many years. The sales in foreign lands were equally surprising. The book was the great literary success of the age. Daniel Webster voiced common American thought when he likened Prescott to "a comet which had suddenly blazed out upon the world in full splendor," and Richard Ford expressed the opinion of the best historical scholars in England when he said that "Mr. Prescott's is by much the first historical work which British America has yet produced and one that need hardly fear a comparison with any that has issued from the European press since the century began."

WILFRED H. MUNRO.

BROWN UNIVERSITY, March 24, 1905.

EDITOR'S PREFACE

IN the intervals of composition, especially during the last years of his life, Mr. Prescott devoted much time to the revision of his published works. The changes he made included, besides many verbal amendments and some alterations of greater moment, numerous additions, principally to the notes, from the fresh material accumulated in the progress of his researches. Successive English editions published during his lifetime profited to some extent by this labor; but his purpose to incorporate the whole of its results in a new American edition was unhappily frustrated by his death. He had intimated a desire that the task should, in this event, be undertaken by the writer, who had shared in the previous labor and was cognizant of the details, and to whom it has accordingly been intrusted by the publishers, the present proprietors of the copyrights. It has consisted mainly in collating the editions, errors having crept into the later and otherwise more perfect ones; inserting emendations and additions from the author's manuscripts; verifying doubtful references; and securing, by a careful supervision of the proofs, that high degree of typographical accuracy which is especially desirable in reprints of standard works. Occasional notes, confined to

points of fact, have been appended by the editor, where statements in the text, based on insufficient authority or called in question by recent investigators, needed to be substantiated or corrected.

JOHN FOSTER KIRK.

PREFACE TO THE FIRST EDITION

ENGLISH writers have done more for the illustration of Spanish history than for that of any other except their own. To say nothing of the recent general compendium executed for the "Cabinet Cyclopædia," a work of singular acuteness and information, we have particular narratives of the several reigns, in an unbroken series, from the emperor Charles the Fifth (the First of Spain) to Charles the Third, at the close of the last century, by authors whose names are a sufficient guarantee for the excellence of their productions. It is singular that, with this attention to the modern history of the Peninsula, there should be no particular account of the period which may be considered as the proper basis of it,—the reign of Ferdinand and Isabella.

In this reign, the several States into which the country had been broken up for ages were brought under a common rule; the kingdom of Naples was conquered; America discovered and colonized; the ancient empire of the Spanish Arabs subverted; the dread tribunal of the Modern Inquisition established; the Jews, who contributed so sensibly to the wealth and civilization of the country, were banished; and, in fine, such changes were introduced into the interior administration of the

monarchy as have left a permanent impression on the character and condition of the nation.

The actors in these events were every way suited to their importance. Besides the reigning sovereigns, Ferdinand and Isabella, the latter certainly one of the most interesting personages in history, we have, in political affairs, that consummate statesman, Cardinal Ximenes, in military, the "Great Captain," Gonsalvo de Cordova, and in maritime, the most successful navigator of any age, Christopher Columbus; whose entire biographies fall within the limits of this period. Even such portions of it as have been incidentally touched by English writers, as the Italian wars, for example, have been drawn so exclusively from French and Italian sources that they may be said to be untrodden ground for the historian of Spain.*

It must be admitted, however, that an account of this reign could not have been undertaken at any preceding period with anything like the advantages at present afforded, owing to the light which recent researches of Spanish scholars, in the greater freedom of inquiry now enjoyed, have shed on some of its most interesting and least

* The only histories of this reign by Continental writers, with which I am acquainted, are the "Histoire des Rois Catholiques Ferdinand et Isabelle, par l'Abbé Mignot, Paris, 1766," and the "Geschichte der Regierung Ferdinand des Katholischen, von Rupert Becker, Prag und Leipzig, 1790." Their authors have employed the most accessible materials only in the compilation; and, indeed, they lay claim to no great research, which would seem to be precluded by the extent of their works, in neither instance exceeding two volumes duodecimo. They have the merit of exhibiting, in a simple, perspicuous form, those events which, lying on the surface, may be found more or less expanded in most general histories.

familiar features. The most important of the works to which I allude are, the History of the Inquisition, from official documents, by its secretary, Llorente; the analysis of the political institutions of the kingdom, by such writers as Marina, Sempere, and Capmany; the literal version, now made for the first time, of the Spanish-Arab chronicles, by Conde; the collection of original and unpublished documents illustrating the history of Columbus and the early Castilian navigators, by Navarrete; and, lastly, the copious illustrations of Isabella's reign by Clemencin, the late lamented secretary of the Royal Academy of History, forming the sixth volume of its valuable Memoirs.

It was the knowledge of these facilities for doing justice to this subject, as well as its intrinsic merits, which led me, ten years since, to select it; and surely no subject could be found more suitable for the pen of an American than a history of that reign under the auspices of which the existence of his own favored quarter of the globe was first revealed. As I was conscious that the value of the history must depend mainly on that of its materials, I have spared neither pains nor expense, from the first, in collecting the most authentic. In accomplishing this, I must acknowledge the services of my friends, Mr. Alexander H. Everett, then minister plenipotentiary from the United States to the court of Madrid, Mr. Arthur Middleton, secretary of the American legation, and, above all, Mr. O. Rich, now American consul for the Balearic Islands, a gentleman whose extensive

bibliographical knowledge, and unwearied researches during a long residence in the Peninsula, have been liberally employed for the benefit both of his own country and of England. With such assistance, I flatter myself that I have been enabled to secure whatever can materially conduce to the illustration of the period in question, whether in the form of chronicle, memoir, private correspondence, legal codes, or official documents. Among these are various contemporary manuscripts, covering the whole ground of the narrative, none of which have been printed, and some of them but little known to Spanish scholars. In obtaining copies of these from the public libraries, I must add that I have found facilities under the present liberal government which were denied me under the preceding. In addition to these sources of information, I have availed myself, in the part of the work occupied with literary criticism and history, of the library of my friend, Mr. George Ticknor, who during a visit to Spain, some years since, collected whatever was rare and valuable in the literature of the Peninsula. I must further acknowledge my obligations to the library of Harvard University, in Cambridge, from whose rich repository of books relating to our own country I have derived material aid; and, lastly, I must not omit to notice the favors of another kind for which I am indebted to my friend, Mr. William H. Gardiner, whose judicious counsels have been of essential benefit to me in the revision of my labors.

In the plan of the work, I have not limited

myself to a strict chronological narrative of passing events, but have occasionally paused, at the expense, perhaps, of some interest in the story, to seek such collateral information as might bring these events into a clearer view. I have devoted a liberal portion of the work to the literary progress of the nation, conceiving this quite as essential a part of its history as civil and military details. I have occasionally introduced, at the close of the chapters, a critical notice of the authorities used, that the reader may form some estimate of their comparative value and credibility. Finally, I have endeavored to present him with such an account of the state of affairs, both before the accession and at the demise of the Catholic sovereigns, as might afford him the best points of view for surveying the entire results of their reign.

How far I have succeeded in the execution of this plan must be left to the reader's candid judgment. Many errors he may be able to detect. Sure I am, there can be no one more sensible of my deficiencies than myself; although it was not till after practical experience that I could fully estimate the difficulty of obtaining anything like a faithful portraiture of a distant age, amidst the shifting hues and perplexing cross-lights of historic testimony. From one class of errors my subject necessarily exempts me,—those founded on national or party feeling. I may have been more open to another fault,—that of too strong a bias in favor of my principal actors; for characters noble and interesting in themselves naturally beget a sort of partiality, akin to friendship, in the his-

torian's mind, accustomed to the daily contemplation of them. Whatever defects may be charged on the work, I can at least assure myself that it is an honest record of a reign important in itself, new to the reader in an English dress, and resting on a solid basis of authentic materials, such as probably could not be met with out of Spain, nor in it without much difficulty.

I hope I shall be acquitted of egotism although I add a few words respecting the peculiar embarrassments I have encountered in composing these volumes. Soon after my arrangements were made, early in 1826, for obtaining the necessary materials from Madrid, I was deprived of the use of my eyes for all purposes of reading and writing, and had no prospect of again recovering it. This was a serious obstacle to the prosecution of a work requiring the perusal of a large mass of authorities, in various languages, the contents of which were to be carefully collated, and transferred to my own pages, verified by minute reference.* Thus shut out from one sense, I was driven to rely exclusively on another, and to make the ear do the work of the eye. With the assistance of a reader, uninitiated, it may be added, in any modern language but his own, I worked my way through several venerable Castilian quartos, until I was

* "To compile a history from various authors, when they can only be consulted by other eyes, is not easy, nor possible but with more skilful and attentive help than can be commonly obtained." (Johnson's Life of Milton.) This remark of the great critic, which first engaged my attention in the midst of my embarrassments, although discouraging at first, in the end stimulated the desire to overcome them.

satisfied of the practicabilty of the undertaking. I next procured the services of one more competent to aid me in pursuing my historical inquiries. The process was slow and irksome enough, doubtless, to both parties, at least till my ear was accommodated to foreign sounds, and an antiquated, oftentimes barbarous phraseology, when my progress became more sensible, and I was cheered with the prospect of success. It certainly would have been a far more serious misfortune to be led thus blindfold through the pleasant paths of literature; but my track stretched, for the most part, across dreary wastes, where no beauty lurked to arrest the traveller's eye and charm his senses. After persevering in this course for some years, my eyes, by the blessing of Providence, recovered sufficient strength to allow me to use them, with tolerable freedom, in the prosecution of my labors, and in the revision of all previously written. I hope I shall not be misunderstood as stating these circumstances to deprecate the severity of criticism, since I am inclined to think the greater circumspection I have been compelled to use has left me, on the whole, less exposed to inaccuracies than I should have been in the ordinary mode of composition. But, as I reflect on the many sober hours I have passed in wading through black-letter tomes, and through manuscripts whose doubtful orthography and defiance of all punctuation were so many stumbling-blocks to my amanuensis, it calls up a scene of whimsical distresses, not usually encountered, on which the good-natured reader may, perhaps, allow I have some right, now that

I have got the better of them, to dwell with satisfaction.

I will only remark, in conclusion of this too prolix discussion about myself, that, while making my tortoise-like progress, I saw what I had fondly looked upon as my own ground (having indeed lain unmolested by any other invader for so many ages) suddenly entered, and in part occupied, by one of my countrymen. I allude to Mr. Irving's "History of Columbus" and "Chronicle of Granada;" the subjects of which, although covering but a small part of my whole plan, form certainly two of its most brilliant portions. Now, alas! if not devoid of interest, they are, at least, stripped of the charm of novelty. For what eye has not been attracted to the spot on which the light of that writer's genius has fallen?

I cannot quit the subject, which has so long occupied me, without one glance at the present unhappy condition of Spain; who, shorn of her ancient splendor, humbled by the loss of empire abroad and credit at home, is abandoned to all the evils of anarchy. Yet, deplorable as this condition is, it is not so bad as the lethargy in which she has been sunk for ages. Better be hurried forward for a season on the wings of the tempest than stagnate in a deathlike calm, fatal alike to intellectual and moral progress. This crisis of a revolution, when old things are passing away and new ones are not yet established, is indeed fearful. Even the immediate consequences of its achievement are scarcely less so to a people who have yet to learn by experiment the precise form of institutions best

suited to their wants, and to accommodate their character to these institutions. Such results must come with time, however, if the nation be but true to itself. And that they will come, sooner or later, to the Spaniards, surely no one can distrust who is at all conversant with their earlier history, and has witnessed the examples it affords of heroic virtue, devoted patriotism, and generous love of freedom;

> "Chè l'antico valore
> ——— non è ancor morto."

Clouds and darkness have, indeed, settled thick around the throne of the youthful Isabella; but not a deeper darkness than that which covered the land in the first years of her illustrious namesake; and we may humbly trust that the same Providence which guided her reign to so prosperous a termination may carry the nation safe through its present perils, and secure to it the greatest of earthly blessings, civil and religious liberty.

November, 1837.

PREFACE TO THE THIRD ENGLISH EDITION

SINCE the publication of the First Edition of this work, it has undergone a careful revision; and this, aided by the communications of several intelligent friends, who have taken an interest in its success, has enabled me to correct several verbal inaccuracies, and a few typographical errors, which had been previously overlooked. While the Second Edition was passing through the press, I received, also, copies of two valuable Spanish works, having relation to the reign of the Catholic sovereigns, but which, as they appeared during the recent troubles of the Peninsula, had not before come to my knowledge. For these I am indebted to the politeness of Don Angel Calderon de la Barca, late Spanish Minister at Washington; a gentleman whose frank and liberal manners, personal accomplishments, and independent conduct in public life have secured for him deservedly high consideration in the United States, as well as in his own country.

I must still further acknowledge my obligation to Don Pascual de Gayangos, the learned author of the "Mahommedan Dynasties in Spain," recently published in London,—a work which, from its thorough investigation of original sources and its fine spirit of criticism, must supply, what has been so long felt to be a desideratum with the student, the means of forming a perfect acquaint-

ance with the Arabic portion of the Peninsular annals. There fell into the hands of this gentleman, on the breaking up of the convents of Saragossa, in 1835, a rich collection of original documents, comprehending, among other things, the autograph correspondence of Ferdinand and Isabella, and of the principal persons of their court. It formed, probably, part of the library of Geronimo Zurita,—historiographer of Aragon under Philip the Second,—who, by virtue of his office, was intrusted with whatever documents would illustrate the history of the country. This rare collection was left at his death to a monastery in his native city. Although Zurita is one of the principal authorities for the present work, there are many details of interest in this correspondence which have passed unnoticed by him, even when forming the basis of his conclusions; and I have gladly availed myself of the liberality and great kindness of Señor de Gayangos, who has placed these manuscripts at my disposal, transcribing such as I have selected for the corroboration and further illustration of my work. The difficulties attending this labor of love will be better appreciated when it is understood that the original writing is in an antiquated character, which few Spanish scholars of the present day could comprehend, and often in cipher, which requires much patience and ingenuity to explain. With these various emendations, it is hoped that the present Edition may be found more deserving of that favor from the public which has been so courteously accorded to the preceding.

March, 1841.

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PART I

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INTRODUCTION

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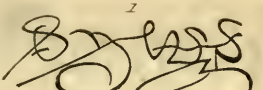

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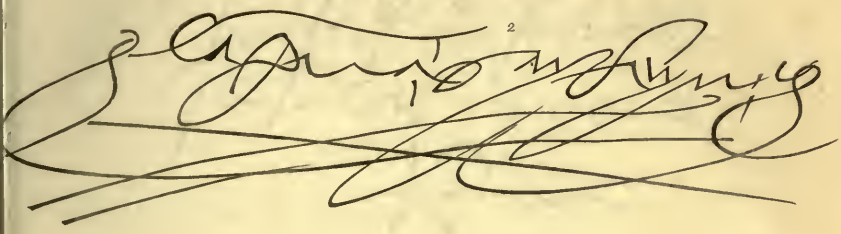

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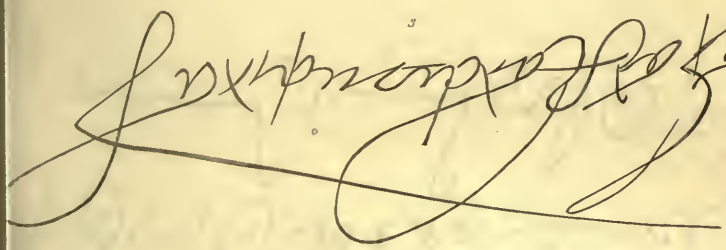

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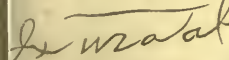

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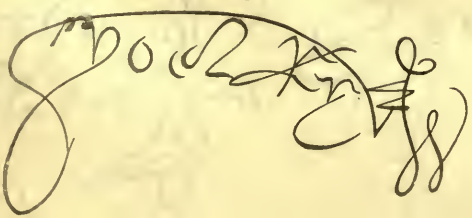

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REIGN OF FERDINAND AND ISABELLA

SECTION I

VIEW OF THE CASTILIAN MONARCHY BEFORE THE FIFTEENTH CENTURY

Early History and Constitution of Castile—Saracen Invasion—Slow Reconquest of the Country—Religious Enthusiasm of the Spaniards—Influence of their Minstrelsy—Their Chivalry—Castilian Towns—Cortes—Its Powers—Its Boldness—Wealth of the Cities—The Nobility—Their Privileges and Wealth—Knights—Clergy—Poverty of the Crown—Limited Extent of the Prerogative

FOR several hundred years after the great Saracen invasion in the beginning of the eighth century, Spain was broken up into a number of small but independent states, divided in their interests, and often in deadly hostility with one another. It was inhabited by races the most dissimilar in their origin, religion, and government, the least important of which has exerted a sensible influence on the character and institutions of its present inhabitants. At the close of the fifteenth century, these various races were blended into one great nation, under one common rule. Its territorial limits were widely extended by discovery and conquest. Its domestic institutions, and even its literature, were moulded into the form which, to a considerable extent, they have maintained to

the present day. It is the object of the present narrative to exhibit the period in which these momentous results were effected,—the reign of Ferdinand and Isabella.

By the middle of the fifteenth century, the number of states into which the country had been divided was reduced to four; Castile, Aragon, Navarre, and the Moorish kingdom of Granada. The last, comprised within nearly the same limits as the modern province of the name, was all that remained to the Moslems of their once vast possessions in the Peninsula. Its concentrated population gave it a degree of strength altogether disproportioned to the extent of its territory; and the profuse magnificence of its court, which rivalled that of the ancient caliphs, was supported by the labors of a sober, industrious people, under whom agriculture and several of the mechanic arts had reached a degree of excellence probably unequalled in any other part of Europe during the Middle Ages.

The little kingdom of Navarre, embosomed within the Pyrenees, had often attracted the avarice of neighboring and more powerful states. But, since their selfish schemes operated as a mutual check upon each other, Navarre still continued to maintain her independence, when all the smaller states in the Peninsula had been absorbed in the gradually increasing dominion of Castile and Aragon.

This latter kingdom comprehended the province of that name, together with Catalonia and Valencia. Under its auspicious climate and free

political institutions, its inhabitants displayed an uncommon share of intellectual and moral energy. Its long line of coast opened the way to an extensive and flourishing commerce; and its enterprising navy indemnified the nation for the scantiness of its territory at home, by the important foreign conquests of Sardinia, Sicily, Naples, and the Balearic Isles.

The remaining provinces of Leon, Biscay, the Asturias, Galicia, Old and New Castile, Estremadura, Murcia, and Andalusia, fell to the crown of Castile, which, thus extending its sway over an unbroken line of country from the Bay of Biscay to the Mediterranean, seemed by the magnitude of its territory, as well as by its antiquity (for it was there that the old Gothic monarchy may be said to have first revived after the great Saracen invasion), to be entitled to a pre-eminence over the other states of the Peninsula. This claim, indeed, appears to have been recognized at an early period of her history. Aragon did homage to Castile for her territory on the western bank of the Ebro, until the twelfth century, as did Navarre, Portugal, and, at a later period, the Moorish kingdom of Granada.[1] And, when at length the various states of Spain were consolidated into one monarchy, the

[1] Aragon was formally released from this homage in 1177, and Portugal in 1264. (Mariana, Historia general de España (Madrid, 1780), lib. 11, cap. 14; lib. 13, cap. 20.) The king of Granada, Aben Alahmar, swore fealty to St. Ferdinand, in 1245, binding himself to the payment of an annual rent, to serve under him with a stipulated number of his knights in war, and personally *attend cortes when summoned;*—a whimsical stipulation this for a Mahometan prince. Conde, Historia de la Dominacion de los Arabes en España (Madrid, 1820, 1821), tom. iii. cap. 30.

capital of Castile became the capital of the new empire, and her language the language of the court and of literature.

It will facilitate our inquiry into the circumstances which immediately led to these results, if we briefly glance at the prominent features in the early history and constitution of the two principal Christian states, Castile and Aragon, previous to the fifteenth century.[2]

The Visigoths, who overran the Peninsula in the fifth century, brought with them the same liberal principles of government which distinguished their Teutonic brethren. Their crown was declared elective by a formal legislative act.[3] Laws were enacted in the great national councils, composed of prelates and nobility, and not unfrequently ratified in an assembly of the people. Their code of jurisprudence, although abounding in frivolous detail, contained many admirable provisions for the security of justice, and, in the degree of civil liberty which it accorded to the Roman inhabitants of the country, far transcended those of most of the other barbarians of the north.[4] In short, their

[2] Navarre was too inconsiderable, and bore too near a resemblance in its government to the other Peninsular kingdoms, to require a separate notice; for which, indeed, the national writers afford but very scanty materials. The Moorish empire of Granada, so interesting in itself, and so dissimilar in all respects to Christian Spain, merits particular attention. I have deferred the consideration of it, however, to that period of the history which is occupied with its subversion. See Part I., chapter 8.

[3] See the Canons of the fifth Council of Toledo. Florez, España sagrada (Madrid, 1747–1776), tom. vi. p. 168.

[4] Recesvinto, in order more effectually to bring about the consolidation of his Gothic and Roman subjects into one nation, abrogated the law prohibiting their intermarriage. The terms in which

simple policy exhibited the germ of some of those institutions which, with other nations, and under happier auspices, have formed the basis of a well-regulated constitutional liberty.[5]

But, while in other countries the principles of a free government were slowly and gradually unfolded, their development was much accelerated in Spain by an event which, at the time, seemed to threaten their total extinction,—the great Saracen invasion at the beginning of the eighth century. The religious as well as the political institutions of the Arabs were too dissimilar to those of the conquered nation, to allow the former to exercise any very sensible influence over the latter in these particulars. In the spirit of toleration which distinguished the early followers of Mahomet,

his enactment is conceived disclose a far more enlightened policy than that pursued either by the Franks or Lombards. (See the Fuero Juzgo (ed. de la Acad., Madrid, 1815), lib. 3, tit. 1, ley. 1.) —The Visigothic code, Fuero Juzgo (Forum Judicum), originally compiled in Latin, was translated into Spanish under St. Ferdinand, and first printed in 1600, at Madrid. (Los Doctores Asso y Manuel, Instituciones del Derecho civil de Castilla (Madrid, 1792), pp. 6, 7.) A second edition, under the supervision of the Royal Spanish Academy, was published in 1815. This compilation, notwithstanding the apparent rudeness and even ferocity of some of its features, may be said to have formed the basis of all the subsequent legislation of Castile. It was, doubtless, the exclusive contemplation of such features that brought upon these laws the sweeping condemnation of Montesquieu, as "puériles, gauches, idiotes,—frivoles dans le fond et gigantesques dans le style." Esprit des Lois, liv. 28, chap. 1.

[5] Some of the local usages, afterwards incorporated in the *fueros*, or charters, of the Castilian communities, may probably be derived from the time of the Visigoths. The English reader may form a good idea of the tenor of the legal institutions of this people and their immediate descendants, from an article in the sixty-first Number of the Edinburgh Review, written with equal learning and vivacity.

they conceded to such of the Goths as were willing to continue among them after the conquest, the free enjoyment of the religious as well as many of the civil privileges which they possessed under the ancient monarchy.[6] Under this liberal dispensation it cannot be doubted that many preferred remaining in the pleasant regions of their ancestors to quitting them for a life of poverty and toil. These, however, appear to have been chiefly of the lower order;[7] and the men of higher rank or of more generous sentiments, who refused to accept a nominal and precarious independence at the hands of their oppressors, escaped from the overwhelming inundation into the neighboring countries of France, Italy, and Britain, or retreated

[6] The Christians, in all matters exclusively relating to themselves, were governed by their own laws (see the Fuero Juzgo, Introd. p. 40), administered by their own judges, subject only in capital cases to an appeal to the Moorish tribunals. Their churches and monasteries (*rosæ inter spinas*, says the historian) were scattered over the principal towns, Cordova retaining seven, Toledo six, etc.; and their clergy were allowed to display the costume, and celebrate the pompous ceremonial, of the Romish communion. Florez, España sagrada, tom. x. trat. 33, cap. 7.—Morales, Corónica general de España (Obras, Madrid, 1791–1793), lib. 12, cap. 78.—Conde, Dominacion de los Arabes, part. 1, cap. 15, 22.

[7] Morales, Corónica, lib. 12, cap. 77.—Yet the names of several nobles resident among the Moors appear in the record of those times. (See Salazar de Mendoza, Monarquía de España (Madrid, 1770), tom. i. p. 34, note.) If we could rely on a singular statement, quoted by Zurita, we might infer that a large proportion of the Goths were content to reside among their Saracen conquerors. The intermarriages among the two nations had been so frequent that in 1311 the ambassador of James II. of Aragon stated to his Holiness, Pope Clement V., that of 200,000 persons composing the population of Granada, not more than 500 were of pure Moorish descent! (Anales de la Corona de Aragon (Zaragoza, 1610), lib. 5, cap. 93.) As the object of the statement was to obtain certain ecclesiastical aids from the pontiff, in the prosecution of the Moorish war, it appears very suspicious, notwithstanding the emphasis laid on it by the historian.

behind those natural fortresses of the north, the Asturian hills and the Pyrenees, whither the victorious Saracen disdained to pursue them.[8]

Here the broken remnant of the nation endeavored to revive the forms, at least, of the ancient government. But it may well be conceived how imperfect these must have been under a calamity which, breaking up all the artificial distinctions of society, seemed to resolve it at once into its primitive equality. The monarch, once master of the whole Peninsula, now beheld his empire contracted to a few barren, inhospitable rocks. The noble, instead of the broad lands and thronged halls of his ancestors, saw himself at best but the chief of some wandering horde, seeking a doubtful subsistence, like himself, by rapine. The peasantry, indeed, may be said to have gained by the exchange; and, in a situation in which all factitious distinctions were of less worth than individual prowess and efficiency, they rose in political consequence. Even slavery, a sore evil among the Visigoths, as indeed among all the barbarians of German origin, though not effaced, lost many of its most revolting features, under the more generous legislation of later times.[9]

[8] Bleda, Corónica de los Moros de España (Valencia, 1618), p. 171. —This author states that in his time there were several families in Ireland whose patronymics bore testimony to their descent from these Spanish exiles. That careful antiquary, Morales, considers the regions of the Pyrenees lying betwixt Aragon and Navarre, together with the Asturias, Biscay, Guipuscoa, the northern portion of Galicia and the Alpujarras (the last retreat, too, of the Moors, under the Christian domination), to have been untouched by the Saracen invaders. See lib. 12, cap. 76.

[9] The lot of the Visigothic slave was sufficiently hard. The oppressions which this unhappy race endured were such as to lead Mr.

A sensible and salutary influence, at the same time, was exerted on the moral energies of the nation, which had been corrupted in the long enjoyment of uninterrupted prosperity. Indeed, so relaxed were the morals of the court, as well as of the clergy, and so enervated had all classes become in the general diffusion of luxury, that some authors have not scrupled to refer to these causes principally the perdition of the Gothic monarchy. An entire reformation in these habits was necessarily effected in a situation where a scanty subsistence could only be earned by a life of extreme temperance and toil, and where it was often to be

Southey, in his excellent Introduction to the "Chronicle of the Cid," to impute to their co-operation, in part, the easy conquest of the country by the Arabs. But although the laws in relation to them seem to be taken up with determining their incapacities rather than their privileges, it is probable that they secured to them, on the whole, quite as great a degree of civil consequence as was enjoyed by similar classes in the rest of Europe. By the Fuero Juzgo, the slave was allowed to acquire property for himself, and with it to purchase his own redemption. (Lib. 5, tit. 4, ley 16.) A certain proportion of every man's slaves were also required to bear arms, and to accompany their master to the field. (Lib. 9, tit. 2, ley 8.) But their relative rank is better ascertained by the amount of composition (that accurate measurement of civil rights with all the barbarians of the north) prescribed for any personal violence inflicted on them. Thus, by the Salic law, the life of a free Roman was estimated at only one-fifth of that of a Frank (Lex Salica, tit. 43, sec. 1, 8); while, by the law of the Visigoths, the life of a slave was valued at half of that of a freeman (lib. 6, tit. 4, ley 1). In the latter code, moreover, the master was prohibited, under the severe penalties of banishment and sequestration of property, from either murdering or maiming his own slave (lib. 6, tit. 5, leyes 12, 13); while, in other codes of the barbarians, the penalty was confined to similar trespasses on the slaves of another; and, by the Salic law, no higher mulct was imposed for killing than for kidnapping a slave. (Lex Salica, tit. 11, sec. 1, 3.) The legislation of the Visigoths, in those particulars, seems to have regarded this unhappy race as not merely a distinct species of property. It provided for their personal security, instead of limiting itself to the indemnification of their masters.

sought, sword in hand, from an enemy far superior in numbers. Whatever may have been the vices of the Spaniards, they cannot have been those of effeminate sloth. Thus a sober, hardy, and independent race was gradually formed, prepared to assert their ancient inheritance, and to lay the foundations of far more liberal and equitable forms of government than were known to their ancestors.

At first their progress was slow and almost imperceptible. The Saracens, indeed, reposing under the sunny skies of Andalusia, so congenial with their own, seemed willing to relinquish the sterile regions of the north to an enemy whom they despised. But, when the Spaniards, quitting the shelter of their mountains, descended into the open plains of Leon and Castile, they found themselves exposed to the predatory incursions of the Arab cavalry, who, sweeping over the face of the country, carried off in a single foray the hard-earned produce of a summer's toil. It was not until they had reached some natural boundary, as the river Douro or the chain of the Guadarrama, that they were enabled, by constructing a line of fortifications along these primitive bulwarks, to secure their conquests, and oppose an effectual resistance to the destructive inroads of their enemies.

Their own dissensions were another cause of their tardy progress. The numerous petty states, which rose from the ruins of the ancient monarchy, seemed to regard each other with even a fiercer hatred than that with which they viewed the enemies of their faith; a circumstance that more

than once brought the nation to the verge of ruin. More Christian blood was wasted in these national feuds than in all their encounters with the infidel. The soldiers of Fernan Gonçalez, a chieftain of the tenth century, complained that their master made them lead the life of very devils, keeping them in the harness day and night, in wars, not against the Saracens, but one another.[10]

These circumstances so far palsied the arm of the Christians, that a century and a half elapsed after the invasion before they had penetrated to the Douro,[11] and nearly thrice that period before they had advanced the line of conquest to the Tagus,[12] notwithstanding this portion of the country had been comparatively deserted by the Mahometans. But it was easy to foresee that a people, living, as they did, under circumstances so well adapted to the development of both physical and moral energy, must ultimately prevail over a nation oppressed by despotism and the effeminate indulgence to which it was naturally disposed by a sensual religion and a voluptuous climate. In truth, the early Spaniard was urged by every motive that can give efficacy to human purpose. Pent up in his barren mountains, he beheld the pleasant valleys and fruitful vineyards of his ancestors delivered over to the spoiler, the holy places polluted by his abominable rites, and the crescent glittering on the domes which were once consecrated by the venerated symbol of his faith.

[10] Corónica general, part. 3, fol. 54.

[11] According to Morales (Corónica, lib. 13, cap. 57), this took place about 850.

[12] Toledo was not reconquered until 1085; Lisbon, in 1147.

His cause became the cause of Heaven. The church published her bulls of crusade, offering liberal indulgences to those who served, and Paradise to those who fell, in battle against the infidel. The ancient Castilian was remarkable for his independent resistance of papal encroachment; but the peculiarity of his situation subjected him in an uncommon degree to ecclesiastical influence at home. Priests mingled in the council and the camp, and, arrayed in their sacerdotal robes, not unfrequently led the armies to battle.[13] They interpreted the will of Heaven as mysteriously revealed in dreams and visions. Miracles were a familiar occurrence. The violated tombs of the saints sent forth thunders and lightnings to consume the invaders; and, when the Christians fainted in the fight, the apparition of their patron, St. James, mounted on a milk-white steed, and bearing aloft the banner of the Cross, was seen hovering in the air, to rally their broken squadrons and lead them on to victory.[14] Thus the Spaniard

[13] The archbishops of Toledo, whose revenues and retinues far exceeded those of the other ecclesiastics, were particularly conspicuous in these holy wars. Mariana, speaking of one of these belligerent prelates, considers it worthy of encomium that "it is not easy to decide whether he was most conspicuous for his good government in peace, or his conduct and valor in war." Hist. de España, tom. ii. p. 14.

[14] The first occasion on which the military apostle condescended to reveal himself to the Leonese was the memorable day of Clavijo,*

* [The battle of Clavijo has been proved to be a myth invented by Roderic of Toledo for the benefit of King Ramiro. Yet, notwithstanding this fact, the "corn rent" was actually paid to the king until 1812, when it was abolished by the cortes. Ferdinand VII. restored it, and it continued to be paid until the year 1835. Ford, Spain, ii. p. 604 (ed. 1855), estimates its value at that time at

looked upon himself as in a peculiar manner the care of Providence. For him the laws of nature were suspended. He was a soldier of the Cross, fighting not only for his country, but for Christendom. Indeed, volunteers from the remotest parts of Christendom eagerly thronged to serve under his banner; and the cause of religion was debated with the same ardor in Spain as on the plains of Palestine.[15] Hence the national character became

A.D. 844, when 70,000 infidels fell on the field. From that time, the name of St. Jago became the battle-cry of the Spaniards. The truth of the story is attested by a contemporary charter of Ramiro I. to the church of the saint, granting it an annual tribute of corn and wine from the towns in his dominions, and a knight's portion of the spoils of every victory over the Mussulmans. The *privilegio del voto,* as it is called, is given at length by Florez in his Collection (España sagrada, tom. xix. p. 329), and is unhesitatingly cited by most of the Spanish historians, as Garibay, Mariana, Morales, and others.—More sharp-sighted critics discover, in its anachronisms and other palpable blunders, ample evidence of its forgery. (Mondejar, Advertencias á la Historia de Mariana (Valencia, 1746), no. 157,—Masdeu, Historia crítica de España y de la Cultura Española (Madrid, 1783–1805), tom. xvi. supl. 1, 8.) The canons of Compostella, however, seem to have found their account in it, as the tribute of good cheer, which it imposed, continued to be paid by some of the Castilian towns, according to Mariana, in his day. Hist. de España, tom. i. p. 416.

[15] French, Flemish, Italian, and English volunteers, led by men of distinguished rank, are recorded by the Spanish writers to have been present at the sieges of Toledo, Lisbon, Algeziras, and various others. More than sixty thousand, or, as some accounts state, a hundred thousand, joined the army before the battle of Navas de Tolosa; a round exaggeration, which, however, implies the great number of such auxiliaries. (Garibay, Compendio historial de las Chrónicas de España (Barcelona, 1628), lib. 12, cap. 33.) The crusades in Spain were as rational enterprises as those in the East were vain and chimerical. Pope Pascal II. acted like a man of sense when he sent

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£200,000. The Order of Santiago is traditionally (but not actually) supposed to have been instituted by Ramiro after that battle, and is sometimes referred to as the "Order of the Sword," because of the weapon wielded by St. James in that contest.—M.]

exalted by a religious fervor, which in later days, alas! settled into a fierce fanaticism. Hence that solicitude for the purity of the faith, the peculiar boast of the Spaniards, and that deep tinge of superstition, for which they have ever been distinguished among the nations of Europe.

The long wars with the Mahometans served to keep alive in their bosoms the ardent glow of patriotism; and this was still further heightened by the body of traditional minstrelsy which commemorated the heroic deeds performed in these wars. The influence of such popular compositions on a simple people is undeniable. A sagacious critic ventures to pronounce the poems of Homer the principal bond which united the Grecian states.[16] Such an opinion may be deemed somewhat extravagant. It cannot be doubted, however, that a poem like that of the "Cid," which appeared as early as the twelfth century,[17] by calling up

back certain Spanish adventurers who had embarked in the wars of Palestine, telling them that "the cause of religion could be much better served by them at home."

[16] See Heeren, Politics of Ancient Greece, translated by Bancroft, chap. 7.

[17] The oldest manuscript extant of this poem (still preserved at Bivar, the hero's birthplace) bears the date of 1207, or at latest 1307, for there is some obscurity in the writing. Its learned editor, Sanchez, has been led by the peculiarities of its orthography, metre, and idiom, to refer its composition to as early a date as 1153. (Coleccion de Poesias Castellanas anteriores al Siglo XV. (Madrid, 1779–90), tom. i. p. 223.) Some of the later Spanish antiquaries have manifested a skepticism in relation to the "Cid," truly alarming. A volume was published at Madrid, in 1792, by Risco, under the title of "Castilla, ó Historia de Rodrigo Diaz," etc., which the worthy father ushered into the world, with much solemnity, as a transcript of an original manuscript coeval with the time of the "Cid," and fortunately discovered by him in an obscure corner of some Leonese monastery. (Prólogo.) Masdeu, in an analysis of this precious

the most inspiring national recollections in connection with their favorite hero, must have operated powerfully on the moral sensibilities of the people.

document, has been led to scrutinize the grounds on which the reputed achievements of the "Cid" have rested from time immemorial, and concludes with the startling assertion that "of Rodrigo Diaz, el Campeador, we absolutely know nothing, with any degree of probability, not even his existence!" (Hist. crítica, tom. xx. p. 370.) There are probably few of his countrymen who will thus coolly acquiesce in the annihilation of their favorite hero, whose exploits have been the burden of chronicle, as well as romance, from the twelfth century down to the present day. They may find a warrant for their fond credulity, in the dispassionate judgment of one of the greatest of modern historians, John Müller, who, far from doubting the existence of the Campeador, has succeeded, in his own opinion at least, in clearing from his history the "mists of fable and extravagance" in which it had been shrouded.* See his Life of the Cid, appended to Escobar's "Romancero," edited by the learned and estimable Dr. Julius, of Berlin. Frankfort, 1828.

* [The Cid of romance and the Cid of history are two entirely distinct persons. The Cid of history was a freebooter, of headlong courage and unsurpassed prowess as a warrior, who differed from the other robber chieftains of the age only in being a little more strenuous than they. He was cruel, selfish, ambitious, entirely lacking in patriotism, burdened with only a very feeble sense of religious obligations. With cheerful nonchalance he robbed infidel and Christian alike, sacking indifferently Christian churches and Mohammedan mosques. Apparently he cared nothing for the merits of the cause for which he fought, provided only his pay was good. Hardly any man was more unfit to be the national hero of Spain than was the real Cid. The Cid of romance as we know him to-day is the growth of centuries. Because the best efforts of this man of heroic valor happened to be put forth when he was fighting for a good cause, the minstrels seized upon him and gradually endowed him with all the virtues and graces of chivalry. For five hundred years his legend grew, until at last Ruy Diaz de Bivar stood before the world, the ideal of what a Spanish cavalier should be,—patriotic, brave, self-sacrificing, a pattern of religious zeal. The Cid is, above all things, the hero of the *people*. Like those other favorites of mediæval Spain, Bernardo del Carpio and Fernan Gonzalez, he did not hesitate (so the people believed) to oppose his sovereign when that sovereign attempted to exercise tyrannical power. An anti-royalist spirit pervades the Cid ballads, as Ormsby points out in his introduction to the "Poem of the Cid," a spirit which proclaims the

It is pleasing to observe, in the cordial spirit of these early effusions, little of the ferocious bigotry which sullied the character of the nation in after-ages.[18] The Mahometans of this period far excelled their enemies in general refinement, and had carried some branches of intellectual culture to a height scarcely surpassed by Europeans in later times. The Christians, therefore, notwithstanding their political aversion to the Saracens, conceded to them a degree of respect, which subsided into feelings of a very different complexion as they themselves rose in the scale of civilization. This sentiment of respect tempered the ferocity of a warfare which, although sufficiently disastrous in its details, affords examples of a generous courtesy that would do honor to the politest ages of Europe.[19] The Spanish Arabs were accomplished in

[18] A modern minstrel inveighs loudly against this charity of his ancestors, who devoted their "cantos de cigarra" to the glorification of the "Moorish rabble," instead of celebrating the prowess of the Cid, Bernardo, and other worthies of their own nation. His discourtesy, however, is well rebuked by a more generous brother of the craft:

"No es culpa si de los Moros
los valientes hechos cantan.
pues tanto mas resplandecen
nuestras celebres hazañas;
que el encarecer los hechos
del vencido en la batalla,
engrandece al vencedor,
aunque no hablen de el palabra."

Duran, Romancero de Romances Moriscos (Madrid, 1828), p. 227.

[19] When the empress queen of Alfonso VII. was besieged in the castle of Azeca, in 1139, she reproached the Moslem cavaliers for

sentiment of the Spanish peninsula before absolutism triumphed over the liberties of Aragon and Castile. The easy religious indifference shown in the ballads is also a reflection of the prevailing thought. Until the last quarter of the fifteenth century there was more of religious toleration in Spain and less of religious bigotry than in almost any other part of Europe.—M.]

all knightly exercises, and their natural fondness for magnificence, which shed a lustre over the rugged features of chivalry, easily communicated itself to the Christian cavaliers. In the intervals of peace, these latter frequented the courts of the Moorish princes, and mingled with their adversaries in the comparatively peaceful pleasures of the tourney, as in war they vied with them in feats of Quixotic gallantry.[20]

The nature of this warfare between two nations, inhabitants of the same country, yet so dissimilar in their religious and social institutions as to be almost the natural enemies of each other, was

their want of courtesy and courage in attacking a fortress defended by a female. They acknowledged the justice of the rebuke, and only requested that she would condescend to show herself to them from her palace; when the Moorish chivalry, after paying their obeisance to her in the most respectful manner, instantly raised the siege, and departed. (Ferreras, Histoire générale d'Espagne, traduite par d'Hermilly (Paris, 1742–51), tom. iii. p. 410.) It was a frequent occurrence to restore a noble captive to liberty without ransom, and even with costly presents. Thus Alfonso XI. sent back to their father two daughters of a Moorish prince, who formed part of the spoils of the battle of Tarifa. (Mariana, Hist. de España, tom. ii. p. 32.) When this same Castilian sovereign after a career of almost uninterrupted victory over the Moslems, died of the plague before Gibraltar, in 1350, the knights of Granada put on mourning for him, saying that "he was a noble prince and one that knew how to honor his enemies as well as his friends." Conde, Dominacion de los Arabes, tom. iii. p. 149.

[20] One of the most extraordinary achievements in this way was that of the grand master of Alcantara, in 1394, who, after ineffectually challenging the king of Granada to meet him in single combat, or with a force double that of his own, marched boldly up to the gates of his capital, where he was assailed by such an overwhelming host that he with all his little band perished on the field. (Mariana, Hist. de España, lib. 19, cap. 3.) It was over this worthy compeer of Don Quixote that the epitaph was inscribed, "Here lies one who never knew fear," which led Charles V. to remark to one of his courtiers that "the good knight could never have tried to snuff a candle with his fingers."

extremely favorable to the exhibition of the characteristic virtues of chivalry. The contiguity of the hostile parties afforded abundant opportunities for personal rencounter and bold romantic enterprise. Each nation had its regular military associations, who swore to devote their lives to the service of God and their country, in perpetual war against the *infidel*.[21] The Spanish knight became the true hero of romance, wandering over his own

[21] This singular fact, of the existence of an Arabic military order, is recorded by Conde. (Dominacion de los Arabes, tom. i. p. 619, note.) The brethren were distinguished for the simplicity of their attire, and their austere and frugal habits. They were stationed on the Moorish marches, and were bound by a vow of perpetual war against the Christian infidel. As their existence is traced as far back as 1030, they may possibly have suggested the organization of similar institutions in Christendom, which they preceded by a century at least. The loyal historians of the Spanish military orders, it is true, would carry that of St. Jago as far back as the time of Ramiro I., in the ninth century * (Caro de Torres, Historia de las Ordenes militares de Santiago, Calatrava y Alcantara (Madrid, 1629), fol. 2.—Rades y Andrada, Chrónica de las tres Ordenes y Cavallerías (Toledo, 1572), fol. 4); but less prejudiced critics, as Zurita and Mariana, are content with dating it from the papal bull of Alexander III., 1175.

* [The mythical battle of Clavijo (see note, p. 13, ante). It probably came into existence as an association about the year 1161, when certain outlaws of Leon were converted from their ways by Pedro Hernandez de Fuente. Forced to serve under his banner, they turned their arms against the Moors, and King Ferdinand granted the reformed robbers lands and estates because they showed themselves such valiant defenders of the faith. After a while they associated with themselves as their chaplains certain monks of the Rule of St. Augustine. In 1172 the archbishop of Santiago became spiritual chief of the order, which was then incorporated under the "Banner Insignia and Invocation of St. James." The knights wore a white mantle "embroidered with the escalop shell of St. James under a cross in the form of a sword with the hilt carved like a lily." This lily was not white, but *red*—with the blood of the infidel. La Regla y Establimentos de la Cavalleria de Santiago de Espada. Pub. by F. Sanchez, Madrid, 1577.—M.]

land, and even into the remotest climes, in quest of adventures; and, as late as the fifteenth century, we find him in the courts of England and Burgundy, doing battle in honor of his mistress, and challenging general admiration by his uncommon personal intrepidity.[22] This romantic spirit lingered in Castile long after the age of chivalry had become extinct in other parts of Europe, continuing to nourish itself on those illusions of fancy which were at length dispelled by the caustic satire of Cervantes.

Thus patriotism, religious loyalty, and a proud sense of independence, founded on the consciousness of owing their possessions to their personal valor, became characteristic traits of the Castilians previously to the sixteenth century, when the oppressive policy and fanaticism of the Austrian dynasty contrived to throw into the shade these generous virtues. Glimpses of them, however, might long be discerned in the haughty bearing of

[22] In one of the Paston letters we find the notice of a Spanish knight appearing at the court of Henry VI., "wyth a Kercheff of Plesaunce iwrapped aboute hys arme, the gwych Knight," says the writer, "wyl renne a cours wyth a sharpe spere for his sou'eyn lady sake." (Fenn, Original Letters (1787), vol. i. p. 6.) The practice of using sharp spears, instead of the guarded and blunted weapons usual in the tournament, seems to have been affected by the chivalrous nobles of Castile; many of whom lost their lives from this circumstance, in the splendid tourney given in honor of the nuptials of Blanche of Navarre and Henry, son of John II. (Crónica de D. Juan II. (Valencia, 1779), p. 411.) Monstrelet records the adventures of a Spanish cavalier, who "travelled all the way to the court of Burgundy to seek honor and reverence" by his feats of arms. His antagonist was the lord of Chargny; on the second day they fought with battle-axes, and "the Castilian attracted general admiration by his uncommon daring in fighting with his visor up." Chroniques (Paris, 1595), tom. ii. p. 109.

the Castilian noble, and in that erect, high-minded peasantry, whom oppression has not yet been able wholly to subdue.[23]

To the extraordinary position in which the nation was placed may also be referred the liberal forms of its political institutions, as well as a more early development of them than took place in other countries of Europe. From the exposure of the Castilian towns to the predatory incursions of the Arabs, it became necessary not only that they should be strongly fortified, but that every citizen should be trained to bear arms in their defence. An immense increase of consequence was given to the burgesses, who thus constituted the most effective part of the national militia. To this circumstance, as well as to the policy of inviting the settlement of frontier places by the grant of extraordinary privileges to the inhabitants is to be imputed the early date, as well as liberal character, of the charters of community in Castile and Leon.[24] These, although varying a good deal in

[23] The Venetian ambassador, Navagiero, speaking of the manners of the Castilian nobles in Charles V.'s time, remarks, somewhat bluntly, that, "if their power were equal to their pride, the whole world would not be able to withstand them." Viaggio fatto in Spagna et in Francia (Vinegia, 1563), fol. 10.

[24] The most ancient of these regular charters of incorporation, now extant, was granted by Alfonso V., in 1020, to the city of Leon and its territory. (Marina rejects those of an earlier date, adduced by Asso and Manuel and other writers. Ensayo histórico-crítico sobre la antigua Legislacion de Castilla (Madrid, 1808), pp. 80–82.) It preceded, by a long interval, those granted to the burgesses in other parts of Europe, with the exception, perhaps, of Italy; where several of the cities, as Milan, Pavia, and Pisa, seem early in the eleventh century to have exercised some of the functions of independent states. But the extent of municipal immunities conceded to, or rather assumed by, the Italian cities at this early period, is very

their details, generally conceded to the citizens the right of electing their own magistrates for the regulation of municipal affairs. Judges were appointed by this body for the administration of civil and criminal law, subject to an appeal to the royal tribunal. No person could be affected in life or property except by a decision of this municipal court; and no cause, while pending before it, could be evoked thence into the superior tribunal. In order to secure the barriers of justice more effectually against the violence of power, so often superior to law in an imperfect state of society, it was provided, in many of the charters, that no nobles should be permitted to acquire real property within the limits of the community; that no fortress or palace should be erected by them there; that such as might reside within its territory should be subject to its jurisdiction; and that any violence offered by them to its inhabitants might be forcibly resisted with impunity. Ample and inalienable funds were provided for the maintenance of the municipal functionaries, and for

equivocal; for their indefatigable antiquary confesses that all, or nearly all, their archives previous to the time of Frederick I. (the latter part of the twelfth century) had perished amid their frequent civil convulsions. (See the subject in detail, in Muratori, Dissertazioni sopra le Antichità Italiane (Napoli, 1752), dissert. 45.) Acts of enfranchisement became frequent in Spain during the eleventh century. Several of these are preserved, and exhibit, with sufficient precision, the nature of the privileges accorded to the inhabitants. Robertson, who wrote when the constitutional antiquaries of Castile had been but slightly investigated, would seem, therefore, to have little authority for deriving the establishment of communities from Italy, and still less for tracing their progress through France and Germany to Spain. See his History of the Reign of the Emperor Charles V. (London, 1796), vol. i. pp. 29, 30.

other public expenses. A large extent of circumjacent country, embracing frequently many towns and villages, was annexed to each city, with the right of jurisdiction over it. All arbitrary tallages were commuted for a certain fixed and moderate rent. An officer was appointed by the crown to reside within each community, whose province it was to superintend the collection of this tribute, to maintain public order, and to be associated with the magistrates of each city in the command of the forces it was bound to contribute towards the national defence. Thus, while the inhabitants of the great towns in other parts of Europe were languishing in feudal servitude, the members of the Castilian corporations, living under the protection of their own laws and magistrates in time of peace, and commanded by their own officers in war, were in full enjoyment of all the essential rights and privileges of freemen.[25]

It is true that they were often convulsed by intestine feuds; that the laws were often loosely administered by incompetent judges; and that the exercise of so many important prerogatives of independent states inspired them with feelings of independence, which led to mutual rivalry, and sometimes to open collision. But, with all this, long after similar immunities in the free cities of

[25] For this account of the ancient polity of the Castilian cities, the reader is referred to Sempere, Histoire des Cortès d'Espagne (Bordeaux, 1815), and Marina's valuable works, Ensayo histórico-crítico sobre la antigua Legislacion de Castilla (nos. 169–196), and Teoría de las Cortes (Madrid, 1813, part. 2, cap. 21–23), where the meagre outline given above is filled up with copious illustrations.

other countries, as Italy for example,[26] had been sacrificed to the violence of faction or the lust of power, those of the Castilian cities not only remained unimpaired, but seemed to acquire additional stability with age. This circumstance is chiefly imputable to the constancy of the national legislature, which, until the voice of liberty was stifled by a military despotism, was ever ready to interpose its protecting arm in defence of constitutional rights.

The earliest instance on record of popular representation in Castile occurred at Burgos, in 1169;[27] nearly a century antecedent to the celebrated Leicester parliament. Each city had but one vote, whatever might be the number of its representatives. A much greater irregularity, in regard to the number of cities required to send deputies to cortes on different occasions, prevailed in Castile, than ever existed in England;[28] though, pre-

[26] The independence of the Lombard cities had been sacrificed according to the admission of their enthusiastic historian, about the middle of the thirteenth century. Sismondi, Histoire des Républiques Italiennes du Moyen-Age (Paris, 1818), ch. 20.

[27] Or in 1160, according to the Corónica general (part. 4, fol. 344, 345), where the fact is mentioned. Mariana refers this celebration of cortes to 1170 (Hist. de España, lib. 11, cap. 2); but Ferreras, who often rectifies the chronological inaccuracies of his predecessor, fixes it in 1169. (Hist. d'Espagne, tom. iii. p. 484.) Neither of these authors notices the presence of the commons in this assembly; although the phrase used by the Chronicle, *los cibdadanos*, is perfectly unequivocal.

[28] Capmany, Práctica y Estilo de celebrar Cortes en Aragon, Cataluña y Valencia (Madrid, 1821), pp. 230, 231.— Whether the convocation of the third estate to the national councils proceeded from politic calculation in the sovereign, or was in a manner forced on him by the growing power and importance of the cities, it is now too late to inquire. It is nearly as difficult to settle on what principles the selection of cities to be represented depended. Marina asserts

viously to the fifteenth century, this does not seem to have proceeded from any design of infringing on the liberties of the people. The nomination of these was originally vested in the householders at large, but was afterwards confined to the municipalities,—a most mischievous alteration, which subjected their election eventually to the corrupt influence of the crown.[29] They assembled in the same chamber with the higher orders of the nobility and clergy, but, on questions of moment, retired to deliberate by themselves.[30] After the transaction of other business, their own petitions were presented to the sovereign, and his assent gave them the validity of laws. The Castilian commons, by neglecting to make their money grants depend on corresponding concessions from the crown, relinquished that powerful check on its operations so beneficially exerted in the British

that every great town and community was entitled to a seat in the legislature, from the time of receiving its municipal charter from the sovereign (Teoría, tom. i. p. 138); and Sempere agrees that this right became general, from the first, to all who chose to avail themselves of it. (Histoire des Cortès, p. 56.) The right, probably, was not much insisted on by the smaller and poorer places, which, from the charges it involved, felt it often, no doubt, less of a boon than a burden. This, we know, was the case in England.

[29] It was an evil of scarcely less magnitude, that contested elections were settled by the crown. (Capmany, Práctica y Estilo, p. 231.) The latter practice, and, indeed, the former to a certain extent, is to be met with in English history.

[30] Marina leaves this point in some obscurity. (Teoría, tom. i. cap. 28.) Indeed, there seems to have been some irregularity in the parliamentary usages themselves. From minutes of a meeting of cortes at Toledo in 1538, too soon for any material innovation on the ancient practice, we find the three estates sitting in separate chambers, from the very commencement to the close of the session. See the account drawn up by the count of Coruña, apud Capmany, Práctica y Estilo, pp. 240 et seq.

parliament, but in vain contended for even there, till a much later period than that now under consideration. Whatever may have been the right of the nobility and clergy to attend in cortes, their sanction was not deemed essential to the validity of legislative acts;[31] for their presence was not even required in many assemblies of the nation which occurred in the fourteenth and fifteenth centuries.[32] The extraordinary power thus committed to the commons was, on the whole, unfavorable to their liberties. It deprived them of the sympathy and co-operation of the great orders of the state, whose authority alone could have enabled them to withstand the encroachments of arbitrary power, and who, in fact, did eventually desert them in their utmost need.[33]

But, notwithstanding these defects, the popular branch of the Castilian cortes, very soon after its admission into that body, assumed functions and exercised a degree of power on the whole superior

[31] This, however, so contrary to the analogy of other European governments, is expressly contradicted by the declaration of the nobles at the cortes of Toledo in 1538: "Oida esta respuesta se dijo, que pues S. M. habia dicho que no eran Córtes ni habia Brazos, no podian tratar cosa alguna, *que ellos sin procuradores, y los procuradores sin ellos, no seria válido lo que hicieren.*" Relacion del Conde de Coruña, apud Capmany, Práctica y Estilo, p. 247.

[32] This omission of the privileged orders was almost uniform under Charles V. and his successors. But it would be unfair to seek for constitutional precedent in the usages of a government whose avowed policy was altogether subversive of the constitution.

[33] During the famous war of the *Comunidades*, under Charles V. For the preceding paragraph consult Marina (Teoría, part. 1, cap. 10, 20, 26, 29), and Capmany (Práctica y Estilo, pp. 220–250). The municipalities of Castile seem to have reposed but a very limited confidence in their delegates, whom they furnished with instructions to which they were bound to conform themselves literally. See Marina, Teoría, part. 1, cap. 23.

to what it acquired in other European legislatures. It was soon recognized as a fundamental principle of the constitution, that no tax could be imposed without its consent;[34] and an express enactment to this effect was suffered to remain on the statute-book after it had become a dead letter, as if to remind the nation of the liberties it had lost.[35] The commons showed a wise solicitude in regard to the mode of collecting the public revenue, oftentimes more onerous to the subject than the tax itself. They watched carefully over its appropriation to its destined uses. They restrained a too prodigal expenditure, and ventured more than once to regulate the economy of the royal household.[36] They kept a vigilant eye on the conduct of public officers, as well as on the right administration of

[34] The term "fundamental principle" is fully authorized by the existence of repeated enactments to this effect. Sempere, who admits the "usage," objects to the phrase "fundamental law," on the ground that these acts were specific, not general, in their character. Histoire des Cortès, p. 254.

[35] "Los Reyes en nuestros Reynos progenitores establecieron por leyes y ordenanças fechas en Cortes, que no se echassen, ni repartiessen ningunos pechos, seruicios, pedidos, ni monedas, ni otros tributos nueuos, especial, ni generalmente en todos nuestros Reynos, sin que primeramente sean llamados á Cortes los procuradores de todas las Ciudades, y villas de nuestros Reynos, y sean otorgados por los dichos procuradores que á las Cortes vinieren." (Recopilacion de las Leyes (Madrid, 1640), tom. ii. fol. 124.) This law, passed under Alfonso XI., was confirmed by John II., Henry III., and Charles V.

[36] In 1258, they presented a variety of petitions to the king in relation to his own personal expenditure, as well as that of his courtiers; requiring him to diminish the charges of his table, attire, etc., and, bluntly, to "bring his appetite within a more reasonable compass;" to all which he readily gave his assent. (Sempere y Guarinos, Historia del Luxo y de las Leyes suntuarias de España (Madrid, 1788), tom. i. pp. 91, 92.) The English reader is reminded of a very different result which attended a similar interposition of the commons in the time of Richard II., more than a century later.

justice, and commissions were appointed at their suggestion for inquiring into its abuses. They entered into negotiation for alliances with foreign powers, and, by determining the amount of supplies for the maintenance of troops in time of war, preserved a salutary check over military operations.[37] The nomination of regencies was subject to their approbation, and they defined the nature of the authority to be intrusted to them. Their consent was esteemed indispensable to the validity of a title to the crown, and this prerogative, or at least the image of it, has continued to survive the wreck of their ancient liberties.[38] Finally, they more than once set aside the testamentary provisions of the sovereigns in regard to the succession.[39]

Without going further into detail, enough has been said to show the high powers claimed by the commons previously to the fifteenth century, which, instead of being confined to ordinary subjects of legislation, seem, in some instances, to have reached to the executive duties of the ad-

[37] Marina claims also the right of the cortes to be consulted on questions of war and peace, of which he adduces several precedents. (Teoría, part. 2, cap. 19, 20.) Their interference in what is so generally held the peculiar province of the executive was perhaps encouraged by the sovereign, with the politic design of relieving himself of the responsibility of measures whose success must depend eventually on their support. Hallam notices a similar policy of the crown, under Edward III., in his view of the English constitution during the Middle Ages. View of the State of Europe during the Middle Ages (London, 1819), vol. iii. chap. 8.

[38] The recognition of the title of the heir apparent, by a cortes convoked for that purpose, has continued to be observed in Castile down to the present time. Práctica y Estilo, p. 229.

[39] For the preceding notice of the cortes, see Marina, Teoría, part. 2, cap. 13, 19, 20, 21, 31, 35, 37, 38.

ministration. It would, indeed, show but little acquaintance with the social condition of the Middle Ages, to suppose that the practical exercise of these powers always corresponded with their theory. We trace repeated instances, it is true, in which they were claimed and successfully exerted; while, on the other hand, the multiplicity of remedial statutes proves too plainly how often the rights of the people were invaded by the violence of the privileged orders, or the more artful and systematic usurpations of the crown. But, far from being intimidated by such acts, the representatives in cortes were ever ready to stand forward as the intrepid advocates of constitutional freedom; and the unqualified boldness of their language on such occasions, and the consequent concessions of the sovereign, are satisfactory evidence of the real extent of their power, and show how cordially they must have been supported by public opinion.

It would be improper to pass by without notice an anomalous institution peculiar to Castile, which sought to secure the public tranquillity by means scarcely compatible themselves with civil subordination. I refer to the celebrated *Hermandad,**

* [The epithet "Santa" does not properly belong to the earlier association. It was the genius of Isabella which sanctified for the *benefit* of the crown and transformed into a well ordered constabulary an organization which once was even used to curb the usurpations of the crown. The Santa Hermandad was a royal police. The Hermandades were simply unions of cities or citizens to protect themselves from the horrible disorder which distracted the land. The Hermandad of Castile was not a secret society, and its formal act of incorporation is a protest against the times. After specifying the evils suffered by Castile since the days of Alfonso X., it goes on to say, "for the better security of the land, and for the

or Holy Brotherhood, as the association was sometimes called,—a name familiar to most readers in the lively fictions of Le Sage, though conveying there no very adequate idea of the extraordinary functions which it assumed at the period under review. Instead of a regularly organized police, it then consisted of a confederation of the principal cities, bound together by a solemn league and covenant for the defence of their liberties in seasons of civil anarchy. Its affairs were conducted by deputies, who assembled at stated intervals for this purpose, transacting their business under a common seal, enacting laws which they were careful to transmit to the nobles and even the sovereign himself, and enforcing their measures by an armed force. This wild kind of justice, so characteristic of an unsettled state of society, repeatedly received the legislative sanction; and, however formidable such a popular engine may have appeared to the eye of the monarch, he was often led to countenance it by a sense of his own impotence, as well as of the over-weening power of the nobles, against whom it was principally directed. Hence these associations, although the epithet may seem somewhat overstrained, have received the appellation of "cortes extraordinary." [40]

[40] So at least they are styled by Marina. See his account of these institutions (Teoría, part. 2, cap. 39); also Salazar de Mendoza (Monarquía, lib. 3, cap. 15, 16), and Sempere (Histoire des Cortès, chap.

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greater protection of the king's authority, we make this brotherhood." An armed force secured the execution of its decrees. Its power was not constitutional; but as it was never abused, it encountered no opposition.—M.]

With these immunities, the cities of Castile attained a degree of opulence and splendor unrivalled, unless in Italy,* during the Middle Ages. At a very early period, indeed, their contact with the Arabs had familiarized the people with a better system of agriculture, and a dexterity in the mechanic arts unknown in other parts of Christendom.[41] On the occupation of a conquered town, we find it distributed into quarters or districts, appropriated to the several crafts, whose members were incorporated into guilds, under the regulation of magistrates and by-laws of their own appointment. Instead of the unworthy disrepute into which the more humble occupations have since fallen in Spain, they were fostered by a liberal patronage, and their professors in some instances

12, 13). One hundred cities associated in the Hermandad of 1315. In that of 1295, were thirty-four. The knights and inferior nobility frequently made part of the association. The articles of confederation are given by Risco, in his continuation of Florez (España sagrada (Madrid, 1775–1826), tom. xxxvi. p. 162). In one of these articles it is declared that if any noble shall deprive a member of the association of his property, and refuse restitution, his house shall be razed to the ground. (Art. 4.) In another, that if any one, by command of the king, shall attempt to collect an unlawful tax, he shall be put to death on the spot. Art. 9.

[41] See Sempere, Historia del Luxo, tom. i. p. 97.—Masdeu, Hist. crítica, tom. xiii. nos. 90, 91.—Gold and silver, curiously wrought into plate, were exported in considerable quantities from Spain in the tenth and eleventh centuries. They were much used in the churches. The tiara of the pope was so richly incrusted with the precious metals, says Masdeu, as to receive the name of *Spanoclista*. The familiar use of these metals as ornaments of dress is attested by the ancient poem of the "Cid." See, in particular, the description of the costume of the Campeador; vv. 3099 et seq.

* [The statement needs to be still further qualified. There could be no rivalry, in point of wealth, between the Castilian cities and the centres of trade and manufacturing industry in Italy and Flanders.—K.]

elevated to the rank of knighthood.[42] The excellent breed of sheep, which early became an object of legislative solicitude, furnished them with an important staple, which, together with the simpler manufactures and the various products of a prolific soil, formed the materials of a profitable commerce.[43] Augmentation of wealth brought

[42] Zuñiga, Annales eclesiásticos y seculares de Sevilla (Madrid, 1677), pp. 74, 75.—Sempere, Historia del Luxo, tom. i. p. 80.

[43] The historian of Seville describes that city, about the middle of the fifteenth century, as possessing a flourishing commerce, and a degree of opulence unexampled since the conquest. It was filled with an active population, employed in the various mechanic arts. Its domestic fabrics, as well as natural products of oil, wine, wool, etc., supplied a trade with France, Flanders, Italy, and England. (Zuñiga, Annales de Sevilla, p. 341.—See also Sempere, Historia del Luxo, p. 81, nota 2.) The ports of Biscay, which belonged to the Castilian crown, were the marts of an extensive trade with the north, during the thirteenth and fourteenth centuries. This province entered into repeated treaties of commerce with France and England; and her factories were established at Bruges, the great emporium of commercial intercourse during this period between the north and south, before those of any other people in Europe, except the Germans. (Diccionario geográfico-histórico de España, por la Real Academia de la Historia (Madrid, 1802), tom. i. p. 333.)

The institution of the *mesta* is referred, says Laborde (Itinéraire descriptif de l'Espagne (Paris, 1827–1830), tom. iv. p. 47), to the middle of the fourteenth century, when the great plague, which devastated the country so sorely, left large depopulated tracts open to pasturage. This popular opinion is erroneous, since it engaged the attention of government and became the subject of legislation as anciently as 1273, under Alfonso the Wise. (See Asso y Manuel, Instituciones, Introd. p. 56.) Capmany, however, dates the great improvement in the breed of Spanish sheep from the year 1394, when Catharine of Lancaster brought with her, as a part of her dowry to the heir apparent of Castile, a flock of English merinos, distinguished at that time above those of every other country for the beauty and delicacy of their fleece. (Memorias históricas sobre la Marina, Comercio y Artes de Barcelona (Madrid, 1779–1792), tom. iii. pp. 336, 337.) This acute writer, after a very careful examination of the subject, differing from the authorities before quoted, considers the raw material for manufacture, and the natural productions of the soil, to have constituted almost the only articles of export from Spain, until after the fifteenth century. (Ibid., p. 338.)

with it the usual appetite for expensive pleasures; and the popular diffusion of luxury in the fourteenth and fifteenth centuries is attested by the fashionable invective of the satirist, and by the impotence of repeated sumptuary enactments.[44] Much of this superfluous wealth, however, was expended on the construction of usual public works. Cities, from which the nobles had once been so jealously excluded, came now to be their favorite residence.[45] But, while their sumptuous edifices and splendid retinues dazzled the eyes of the peaceful burghers, their turbulent spirit was preparing the way for those dismal scenes of faction which convulsed the little commonwealths to their centre during the latter half of the fifteenth century.

The flourishing condition of the communities gave their representatives a proportional increase of importance in the national assembly. The liberties of the people seemed to take deep root in the

We will remark, in conclusion of this desultory note, that the term *merinos* is derived, by Conde, from *moedinos*, signifying "wandering;" the name of an Arabian tribe, who shifted their place of residence with the season. (Hist. de los Arabes en España, tom. i. p. 488, nota.) The derivation might startle any but a professed etymologist.

[44] See the original acts, cited by Sempere. (Historia del Luxo, passim.) The archpriest of Hita inveighs freely against the luxury, cupidity, and other fashionable sins of his age. (See Sanchez, Poesías Castellanas, tom. iv.)—The influence of Mammon appears to have been as supreme in the fourteenth century as at any later period.

> "Sea un ome nescio, et rudo labrador,
> Los dineros le fasen fidalgo e sabidor,
> Quanto mas algo tiene, tanto es mas de valor,
> El que no ha dineros, non es de si señor."
> Vv. 465 et seq.

[45] Marina, Ensayo, nos. 199, 297.—Zuñiga, Annales de Sevilla, p. 341.

midst of those political convulsions, so frequent in Castile, which unsettled the ancient prerogatives of the crown. Every new revolution was followed by new concessions on the part of the sovereign, and the popular authority continued to advance with a steady progress until the accession of Henry the Third of Trastamara, in 1393, when it may be said to have reached its zenith. A disputed title and a disastrous war compelled the father of this prince, John the First, to treat the commons with a deference unknown to his predecessors. We find four of their number admitted into his privy council, and six associated in the regency, to which he confided the government of the kingdom during his son's minority.[46] A remarkable fact which occurred in this reign, showing the important advances made by the commons in political estimation, was the substitution of the sons of burgesses for an equal number of those of the nobility, who were stipulated to be delivered as hostages for the fulfilment of a treaty with Portugal, in 1393.[47] There will be occasion to notice, in the first chapter of this History, some of the circumstances which, contributing to undermine the power of the commons, prepared the way for the eventual subversion of the constitution.

The peculiar situation of Castile, which had been

[46] Marina, Teoría, part. 2, cap. 28.—Mariana, Hist. de España, lib. 18, cap. 15.—The admission of citizens into the king's council would have formed a most important epoch for the commons, had they not soon been replaced by jurisconsults, whose studies and sentiments inclined them less to the popular side than to that of prerogative.

[47] Mariana, Hist. de España, lib. 18, cap. 17.

so favorable to popular rights, was eminently so to those of the aristocracy. The nobles, embarked with their sovereign in the same common enterprise of rescuing their ancient patrimony from its invaders, felt entitled to divide with him the spoils of victory. Issuing forth, at the head of their own retainers, from their strongholds or castles (the great number of which was originally implied in the name of the country),[48] they were continually enlarging the circuit of their territories, with no other assistance than that of their own good swords.[49] This independent mode of effecting their conquests would appear unfavorable to the introduction of the feudal system, which, although its existence in Castile is clearly ascertained by positive law as well as usage, never prevailed to anything like the same extent as it did in the sister kingdom of Aragon, and other parts of Europe.[50]

[48] *Castilla.* See Salazar de Mendoza, Monarquía, tom. i. p. 108.—Livy mentions the great number of these towers in Spain in his day: "Multas et locis altis positas turres Hispania habet." (Lib. 22, cap. 19.)—A castle was emblazoned on the escutcheon of Castile, as far back as the reign of Urraca, in the beginning of the twelfth century, according to Salazar de Mendoza (Monarquía, tom. i. p. 142), although Garibay discerns no vestige of these arms on any instrument of a much older date than the beginning of the thirteenth century. Compendio, lib. 12, cap. 32.

[49] "Hizo guerra a los Moros,
Ganando sus fortalezas
Y sus villas.
Y en las lides que venció
Caballeros y caballos
Se perdiéron,
Y en este oficio ganó
Las rentas y los vasallos
Que le diéron."
Coplas de Manrique, copla 31.

[50] Asso and Manuel derive the introduction of fiefs into Castile, from Catalonia. (Instituciones, p. 96.) The twenty-sixth title, part. 4, of Alfonso X.'s code (Siete Partidas) treats exclusively of them. (De los Feudos.) The laws 2, 4, 5, are expressly de-

The higher nobility, or *ricos hombres*,* were exempted from general taxation; and the occasional attempt to infringe on this privilege, in seasons of great public emergency, was uniformly repelled by this jealous body.[51] They could not be imprisoned for debt, nor be subjected to torture, so repeatedly sanctioned in other cases by the municipal law of

voted to a brief exposition of the nature of a fief, the ceremonies of investiture, and the reciprocal obligations of lord and vassal. Those of the latter consisted in keeping his lord's counsel, maintaining his interest, and aiding him in war. With all this, there are anomalies in this code, and still more in the usages of the country, not easy to explain on the usual principles of the feudal relation;† a circumstance which has led to much discrepancy of opinion on the subject in political writers, as well as to some inconsistency. Sempere, who entertains no doubt of the establishment of feudal institutions in Castile, tells us that "the nobles, after the conquest, succeeded in obtaining an exemption from military service,"—one of the most conspicuous and essential of all the feudal relations. Histoire des Cortès, pp. 30, 72, 249.

[51] Asso y Manuel, Instituciones, p. 26.—Sempere, Histoire des Cortès, chap. 4.—The incensed nobles quitted the cortes in disgust, and threatened to vindicate their rights by arms, on one such occasion, 1176. Mariana, Hist. de España, tom. i. p. 644. See also tom. ii. p. 176.

* [The *ricos hombres* were not rich, but reichs (Gothic) of the realm.—M.]

† [It was only when the Germanic element and the Roman element mingled in almost equal proportions that the feudal system achieved its complete development in any land. There was too much of the Roman element for this development in the Spanish peninsula. The growth of the system in Spain came late, and such perfection as was seen in the Latin Kingdom of Jerusalem was never known there. The Eastern crusades witnessed the most complete development of feudalism, and those crusades in which, because of their own incessant strife against the infidel at home, the Spaniards took almost no part, were finished two hundred years before the Spanish crusade against the Moor was over. As the Eastern crusades contributed first to the development of communal liberties and then to the development of royal absolutism in the rest of Europe, so did the long contest with the Moors aid first in the growth of communal liberties and then in the establishment of royal absolutism in Castile and Aragon.—M.]

Castile. They had the right of deciding their private feuds by an appeal to arms; a right of which they liberally availed themselves.[52] They also claimed the privilege, when aggrieved, of denaturalizing themselves, or, in other words, of publicly renouncing their allegiance to their sovereign, and of enlisting under the banners of his enemy.[53] The number of petty states which swarmed over the Peninsula afforded ample opportunity for the exercise of this disorganizing prerogative. The Laras are particularly noticed by Mariana as having a "great relish for rebellion," and the Castros as being much in the habit of going over to the Moors.[54] They assumed the license of arraying themselves in armed confederacy against the monarch on any occasion of popular disgust, and they solemnized the act by the most imposing ceremonials of religion.[55] Their rights of jurisdiction, derived to them, it would seem, originally from royal grant,[56] were in a great measure defeated by the liberal charters of incorporation which, in imitation of the sovereign, they conceded to their vassals, as well as by the gradual encroachment of the royal judicatures.[57]

[52] Iidem auctores, ubi supra.—Prieto y Sotelo, Historia del Derecho real de España (Madrid, 1738), lib. 2, cap. 23; lib. 3, cap. 8.

[53] Siete Partidas (ed. de la Real. Acad., Madrid, 1807), part. 4, tit. 25, ley 11. On such occasions they sent him a formal defiance by their king-at-arms. Mariana, Hist. de España, tom. i. pp. 768, 912.

[54] Ibid., tom. i. pp. 707, 713.

[55] The forms of this solemnity may be found in Mariana, Hist. de España, tom. i. p. 907.

[56] Marina, Ensayo, p. 128.

[57] John I., in 1390, authorized appeals from the seignorial tribunals to those of the crown. Ibid., tom. ii. p. 179.

In virtue of their birth they monopolized all the higher offices of state, as those of constable and admiral of Castile, *adelantados* or governors of the provinces, cities, etc.[58] They secured to themselves the grand-masterships of the military orders, which placed at their disposal an immense amount of revenue and patronage. Finally, they entered into the royal or privy council, and formed a constituent portion of the national legislature.

These important prerogatives were of course favorable to the accumulation of great wealth. Their estates were scattered over every part of the kingdom, and, unlike the grandees of Spain at the present day,[59] they resided on them in person, maintaining the state of petty sovereigns, and surrounded by a numerous retinue, who served the purposes of a pageant in time of peace and an efficient military force in war. The demesnes of John, lord of Biscay, confiscated by Alfonso the Eleventh to the use of the crown, in 1327, amounted to more than eighty towns and castles.[60] The "good constable" Davalos, in the time of Henry the Third, could ride through his own estates all the way from Seville to Compostella, almost the two extremities of the kingdom.[61] Alvaro de Luna, the powerful favorite of John the Second, could muster twenty thousand vas-

[58] The nature of these dignities is explained in Salazar de Mendoza, Monarquía, tom. i. pp. 155, 166, 203.

[59] From the scarcity of these baronial residences, some fanciful etymologists have derived the familiar saying of "châteaux en Espagne." See Bourgoanne, Travels in Spain, tom. ii. chap. 12.

[60] Mariana, Hist. de España, tom. i. p. 910.

[61] Crónica de Don Alvaro de Luna (ed. de la Acad., Madrid, 1784), App. p. 465.

sals.[62] A contemporary, who gives a catalogue of the annual rents of the principal Castilian nobility at the close of the fifteenth or beginning of the following century, computes several at fifty and sixty thousand ducats a year,[63] an immense income, if we take into consideration the value of money in that age. The same writer estimates their united revenues as equal to one-third of those in the whole kingdom.[64]

These ambitious nobles did not consume their fortunes or their energies in a life of effeminate luxury. From their earliest boyhood they were accustomed to serve in the ranks against the

[62] Guzman, Generaciones y Semblanzas (Madrid, 1775), cap. 84.—His annual revenue is computed by Perez de Guzman at 100,000 doblas of gold; a sum equivalent to 856,000 dollars at the present day.

[63] The former of these two sums is equivalent to $438,875, or £91,474 sterling; and the latter to $526,650, or £109,716, nearly. I have been guided, in this History, in the reduction of sums, by a dissertation of Clemencin, in the sixth volume of the Memorias de la Real Academia de la Historia (Madrid, 1821, pp. 507–566). That treatise is very elaborate and ample, and brings under view all the different coins of Ferdinand and Isabella's time, settling their specific value with great accuracy. The calculation is attended with considerable difficulty, owing to the depreciation of the value of the precious metals, and the repeated adulteration of the *real*. In his tables, at the end, he exhibits the commercial value of the different denominations, ascertained by the quantity of wheat (as sure a standard as any) which they would buy at that day. Taking the average of values, which varied considerably in different years of Ferdinand and Isabella, it appears that the ducat, reduced to our own currency, will be equal to about eight dollars and seventy-seven cents, and the dobla to eight dollars and fifty-six cents.

[64] The ample revenues of the Spanish grandee of the present time, instead of being lavished on a band of military retainers, as of yore, are sometimes dispensed in the more peaceful hospitality of supporting an almost equally formidable host of needy relations and dependents. According to Bourgoanne (Travels in Spain, vol. i. chap. 4), no less than three thousand of these gentry were maintained on the estates of the duke of Arcos, who died in 1780.

infidel,[65] and their whole subsequent lives were occupied either with war or with those martial exercises which reflect the image of it. Looking back with pride to their ancient Gothic descent, and to those times when they had stood forward as the peers, the electors of their sovereign, they could ill brook the slightest indignity at his hand.[66] With these haughty feelings and martial habits, and this enormous assumption of power, it may readily be conceived that they would not suffer the anarchical provisions of the constitution, which seemed to concede an almost unlimited license of rebellion, to remain a dead letter. Accordingly, we find them perpetually convulsing the kingdom with their schemes of selfish aggrandizement. The petitions of the commons are filled with remonstrances on their various oppressions and the evils resulting from their long, desolating feuds. So that, notwithstanding the liberal forms of its constitution, there was probably no country in

[65] Mendoza records the circumstance of the head of the family of Ponce de Leon (a descendant of the celebrated marquis of Cadiz) carrying his son, then thirteen years old, with him into battle; "an ancient usage," he says, "in that noble house." (Guerra de Granada (Valencia, 1776), p. 318.) The only son of Alfonso VI. was slain, fighting manfully in the ranks, at the battle of Ucles, in 1109, when only eleven years of age. Mariana, Hist. de España, tom. i. p. 565.

[66] The northern provinces, the theatre of this primitive independence, have always been consecrated by this very circumstance, in the eyes of a Spaniard. "The proudest lord," says Navagiero, "feels it an honor to trace his pedigree to this quarter." (Viaggio, fol. 44.) The same feeling has continued, and the meanest native of Biscay or the Asturias, at the present day, claims to be noble; a pretension which often contrasts ridiculously enough with the humble character of his occupation, and has furnished many a pleasant anecdote to travellers.

Europe, during the Middle Ages, so sorely afflicted with the vices of intestine anarchy as Castile. These were still further aggravated by the improvident donations of the monarch to the aristocracy, in the vein hope of conciliating their attachment, but which swelled their already overgrown power to such a height that by the middle of the fifteenth century it not only overshadowed that of the throne, but threatened to subvert the liberties of the state.

Their self-confidence, however, proved eventually their ruin. They disdained a co-operation with the lower orders in defence of their privileges, and relied too unhesitatingly on their power as a body to feel jealous of their exclusion from the national legislature, where alone they could have made an effectual stand against the usurpations of the crown. The course of this work will bring under review the dexterous policy by which the crown contrived to strip the aristocracy of its substantial privileges, and prepared the way for the period when it should retain possession only of a few barren though ostentatious dignities.[67]

The inferior orders of nobility, the *hidalgos* (whose dignity, like that of the *ricos hombres*,

[67] An elaborate dissertation, by the advocate Don Alonso Carillo, on the pre-eminence and privileges of the Castilian grandee, is appended to Salazar de Mendoza's Origen de las Dignidades seglares de Castilla (Madrid, 1794). The most prized of these appears to be that of keeping the head covered in the presence of the sovereign; "prerogativa tan ilustre," says the writer, "que ella sola imprime el principal caracter de la Grandeza. Y considerada *por sus efectos admirables*, ocupa dignamente el primero lugar." (Discurso 3.) The sentimental citizen Bourgoanne finds it necessary to apologize to his republican brethren for noticing these "important trifles." Travels in Spain, vol. i. chap. 4.

would seem, as their names imports, to have been originally founded on wealth *),[68] and the *cavalleros,* or knights, enjoyed many of the immunities of the higher class, especially that of exemption from taxation.[69] Knighthood appears to have been regarded with especial favor by the law of Castile. Its ample privileges and its duties are defined with a precision, and in a spirit of romance, that might have served for the court of King Arthur.[70] Spain was indeed the land of chivalry. The respect for the sex, which had descended from the Visigoths,[71] was mingled with the religious

[68] "Los llamaron fijosdalgo, que muestra a tanto como fijos de bien." (Siete Partidas, part. 2, tit. 21.) "Por hidalgos se entienden *los hombres escogidos de buenos lugares é con algo.*" Asso y Manuel, Instituciones, pp. 33, 34.

[69] Recopilacion de las Leyes, lib. 6, tit. 1, leyes 2, 9; tit. 2, leyes 3, 4, 10; tit. 14, leyes 14, 19.—They were obliged to contribute to the repair of fortifications and public works, although, as the statute expresses it, "tengan privilegios para que sean essentos de todos pechos."

[70] The knight was to array himself in light and cheerful vestments, and, in the cities and public places, his person was to be enveloped in a long and flowing mantle, in order to impose greater reverence on the people. His good steed was to be distinguished by the beauty and richness of its caparisons. He was to live abstemiously, indulging himself in none of the effeminate delights of couch or banquet. During a repast, his mind was to be refreshed with the recital, from history, of deeds of ancient heroism; and in the fight he was commanded to invoke the name of his mistress, that it might infuse new ardor into his soul, and preserve him from the commission of unknightly actions. See Siete Partidas, part. 2, tit. 21, which is taken up with defining the obligations of chivalry.

[71] See Fuero Juzgo, lib. 3, which is devoted almost exclusively to the sex. Montesquieu discerns in the jealous surveillance which the Visigoths maintained over the honor of their women, so close an analogy with oriental usages, as must have greatly facilitated the conquest of the country by the Arabians. Esprit des Lois, liv. 14, chap. 14.

* [Not on wealth, but on family.—M.]

enthusiasm which had been kindled in the long wars with the infidel. The apotheosis of chivalry, in the person of their apostle and patron, St. James,[72] contributed still further to this exaltation of sentiment, which was maintained by the various military orders, who devoted themselves, in the bold language of the age, to the service "of God and the ladies." So that the Spaniard may be said to have put in action what, in other countries, passed for the extravagancies of the minstrel. An example of this occurs in the fifteenth century, when a passage of arms was defended at Orbigo, not far from the shrine of Compostella, by a Castilian knight, named Suero de Quiñones, and his nine companions, against all comers, in the presence of John the Second and his court. Its object was to release the knight from the obligation, imposed on him by his mistress, of publicly wearing an iron collar round his neck every Thursday. The jousts continued for thirty days, and the doughty champions fought without shield or target, with weapons bearing points of Milan steel. Six hundred and twenty-seven encounters took place, and one hundred and sixty-six lances were broken, when the emprise was declared to be fairly achieved. The whole affair is narrated with becoming gravity by an eye-witness, and the reader may fancy himself perusing the adventures of a Launcelot or an Amadis.[73]

The influence of the ecclesiastics in Spain may

[72] Warton's expression. See his History of English Poetry (London, 1824), vol. i. p. 245.

[73] See the "Passo honroso" appended to the Crónica de Alvaro de Luna.

be traced back to the age of the Visigoths, when they controlled the affairs of the state in the great national councils of Toledo. This influence was maintained by the extraordinary position of the nation after the conquest. The holy warfare in which it was embarked seemed to require the co-operation of the clergy, to propitiate Heaven in its behalf, to interpret its mysterious omens, and to move all the machinery of miracles, by which the imagination is so powerfully affected in a rude and superstitious age. They even condescended, in imitation of their patron saint, to mingle in the ranks, and, with the crucifix in their hands, to lead the soldiers on to battle. Examples of these militant prelates are to be found in Spain so late as the sixteenth century.[74]

But, while the native ecclesiastics obtained such complete ascendency over the popular mind, the Roman See could boast of less influence in Spain than in any other country in Europe. The Gothic liturgy was alone received as canonical until the eleventh century;[75] and, until the twelfth, the

[74] The present narrative will introduce the reader to more than one belligerent prelate, who filled the very highest post in the Spanish and, I may say, the Christian church, next to the papacy. (See Alvaro Gomez, De Rebus gestis a Francisco Ximenio Cisnerio (Compluti, 1569), fol. 110 et seq.) The practice, indeed, was familiar in other countries, as well as Spain, at this late period. In the bloody battle of Ravenna, in 1512, two cardinal legates, one of them the future Leo X., fought on opposite sides. Paolo Giovio, Vita Leonis X., apud "Vitæ Illustrium Virorum" (Basiliæ, 1578), lib. 2.

[75] The contest for supremacy between the Mozarabic ritual and the Roman is familiar to the reader, in the curious narrative extracted by Robertson from Mariana, Hist. de España, lib. 9, cap. 18.*

* [Burke tells the story in a very racy way. The wager of battle was first employed. The champion of the Mozarabic missal slew

sovereign held the right of jurisdiction over all ecclesiastical causes, and of collating to benéfices, or at least of confirming or annulling the election of the chapters. The code of Alfonso the Tenth,*

the champion of the Roman ritual, remaining himself unhurt. The next test was essentially Castilian. Two bulls were brought into the arena, and victory came to the bull who fought for the national cause. For seven years nothing more was done. Then Hildebrand (Gregory VII.), once more took up the contest. Again the Castilians appealed to the verdict of Heaven. A great fire was kindled, and into it copies of the two missals were cast. The book that was not consumed was to be deemed acceptable to God. Once more the verdict was in favor of Castile. The Roman volume was entirely consumed; the Gothic remained. But the king was not the man to contend longer with so mighty a pope. With his own hand he cast the victorious mass-book back into the fire, the people made no resistance, and the strife was at an end. See Burke, History of Spain, vol. i. pp. 229–231.—M.]

* [The code of Alfonso the Tenth, the Siete Partidas (Seven Divisions), is the most comprehensive code of Spain. "It is taken from the code of Justinian, the Visigothic, the Fuero Viejo, the local fueros, as well as from the decretals, the canons of councils, nay, even the sayings of philosophers and saints. It is a complete digest of Roman, feudal, and canon law,—by far the most valuable monument of legislation, not merely of Spain, but of Europe, since the publication of the Roman Code." (Dunham, History of Spain and Portugal, iv. p. 121.) Dunham also says it was compiled by certain professors of the University of Salamanca, who was encouraged by the liberality of Alfonso, as well as by their own inclinations, to work diligently at their task for a number of years. Ticknor, in his History of Spanish Literature, maintains that while Alfonso was doubtless assisted by others, yet "the general air and finish of the whole, its style and literary execution, must be more or less his own." The work was at first called "El Setenario" by Alfonso, because all it contains was arranged by sevens. It was not known by its present name until a century and more had passed by. It was put forth in 1263 or 1265, but did not at once become the law of the land, because both the great cities and the great nobles were opposed to a uniform system of legislation for the whole country. Its influence as a kind of Spanish common law has been far-reaching. When Florida and Louisiana were made parts of the American Union it became in those regions the law of the United States. The Partidas are much more than a collection of statutes. "They are, in short, a kind of digested result of the opinions and reading of a learned

however, which borrowed its principles of jurisprudence from the civil and canon law, completed a revolution already begun, and transferred these important prerogatives to the pope, who now succeeded in establishing a usurpation over ecclesiastical rights in Castile, similar to that which had been before effected in other parts of Christendom. Some of these abuses, as that of the nomination of foreigners to benefices, were carried to such an impudent height as repeatedly provoked the indignant remonstrances of the cortes. The ecclesiastics, eager to indemnify themselves for what they had sacrificed to Rome, were more than ever solicitous to assert their independence of the royal jurisdiction. They particularly insisted on their immunity from taxation, and were even reluctant to divide with the laity the necessary burdens of a war which, from its sacred character, would seem to have had imperative claims on them.[76]

Notwithstanding the immediate dependence

[76] Siete Partidas, part. 1, tit. 6.—Florez, España sagrada, tom. xx. p. 16.—The Jesuit Mariana appears to grudge this appropriation of the "sacred revenues of the Church" to defray the expenses of the holy war against the Saracen. (Hist. de España, tom. i. p. 177.) See also the Ensayo (nos. 322–364), where Marina has analyzed and discussed the general import of the first of the Partidas.

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monarch and his coadjutors, in the thirteenth century, on the relative duties of a king and his subjects, and on the entire legislation and policy, ecclesiastical, civil, and moral, to which, in their judgment, Spain should be subjected, the whole interspersed with discussions, sometimes more quaint than grave, concerning the customs and principles on which the work itself, or some particular part of it, is founded." For a very interesting account of the Partidas, see Ticknor, History of Spanish Literature, vol. i. pp. 46–50.—M.]

thus established on the head of the church by the legislation of Alfonso the Tenth, the general immunities secured by it to the ecclesiastics operated as a powerful bounty on their increase; and the mendicant orders in particular, that spiritual militia of the popes, were multiplied over the country to an alarming extent. Many of their members were not only incompetent to the duties of their profession, being without the least tincture of liberal culture, but fixed a deep stain on it by the careless laxity of their morals.* Open concubinage

* [Barraganeria, or customary concubinage, was one of the striking features of mediæval Spain. No social stigma was attached to illegitimacy. When we consider the great number of men killed in the never-ending wars, it is not surprising that illicit relations everywhere prevailed, and that a modified form of polygamy came into vogue. Every man, whether married or not, might maintain a lawful concubine (barragana) without scandal. Children born out of wedlock were so common as to excite no comment. They shared with the legitimate children the father's estate, and, in default of other children, succeeded to his inheritance, to the exclusion of the collateral heirs. Illegitimacy, as was pointed out by Ford, in the *Quarterly Review*, vol. lxi. pp. 19–20, was no bar to the Spanish throne itself. The claim of John of Gaunt to the crown of Castile (jure optimo, according to the inscription on his monument in Old St. Paul's) was made because his wife Constance was the natural daughter of Peter the Cruel. Happy was the man who had his quiver full of children, whether they were born in wedlock or not. The scandalous condition of the times as reflected in the church might have resulted in a priestly caste but for Hildebrand's bold defiance of the prevailing immorality and the heroic battle he waged against it. Even priests maintained barraganas without scandal. Their sons succeeded to the paternal estate; their daughters were married to the sons of other priests, and the dowries came from the revenues of the church itself. Hildebrand's despairing death-cry, "I have loved righteousness and hated iniquity; therefore I die in exile," proclaimed the fact that the evil was too enormous for even his genius to eradicate. The Siete Partidas deal with the subject in several titulos. (Partida, iv. titulos xiii., xiv., xv.) Lea, History of Sacerdotal Celibacy, pours a flood of knowledge upon it. See p. 204 et seq. (ed. 1867).—M.]

was familiarly practised by the clergy, as well as laity, of the period, and, so far from being reprobated by the law of the land, seems anciently to have been countenanced by it.[77] This moral insensibility may probably be referred to the contagious example of their Mahometan neighbors; but, from whatever source derived, the practice was indulged to such a shameless extent that, as the nation advanced in refinement, in the fourteenth and fifteenth centuries, it became the subject of frequent legislative enactments, in which the concubines of the clergy are described as causing general scandal by their lawless effrontery and ostentatious magnificence of apparel.[78]

Notwithstanding this prevalent licentiousness of the Spanish ecclesiastics, their influence became every day more widely extended, while this ascendency, for which they were particularly indebted in that rude age to their superior learning and capacity, was perpetuated by their enormous acquisitions of wealth. Scarcely a town was reconquered from the Moors without a considerable portion of its territory being appropriated to the support of some ancient or the foundation of some new religious establishment. These were the common reservoir into which flowed the copious streams of private as well as royal bounty; and, when the consequences of these alienations in mortmain came to be visible in the impoverishment of the public revenue, every attempt at legislative in-

[77] Marina, Ensayo, ubi supra, and nos. 220 et seq.

[78] See the original acts, quoted by Sempere in his Historia del Luxo, tom. i. pp. 166 et seq.

terference was in a great measure defeated by the piety or superstition of the age. The abbess of the monastery of Huelgas, which was situated within the precincts of Burgos, and contained within its walls one hundred and fifty nuns of the noblest families in Castile, exercised jurisdiction over fourteen capital towns and more than fifty smaller places; and she was accounted inferior only to the queen in dignity.[79] The archibishop of Toledo, by virtue of his office primate of Spain and grand chancellor of Castile, was esteemed, after the pope, the highest ecclesiastical dignitary in Christendom. His revenues, at the close of the fifteenth century, exceeded eighty thousand ducats; while the gross amount of those of the subordinate beneficiaries of his church rose to one hundred and eighty thousand. He could muster a greater number of vassals than any other subject in the kingdom, and held jurisdiction over fifteen large and populous towns, besides a great number of inferior places.[80]

These princely funds, when intrusted to pious prelates, were munificently dispensed in useful public works, and especially in the foundation of eleemosynary institutions, with which every great

[79] Lucio Marineo Siculo, Cosas memorables de España (Alcalá de Henares, 1539), fol. 16.

[80] Navagiero, Viaggio, fol. 9.—L. Marineo, Cosas memorables, fol. 12.—Laborde reckons the revenues of this prelate, in his tables, at 12,000,000 reals, or 600,000 dollars. (Itinéraire, tom. vi. p. 9.)—The estimate is grossly exaggerated for the present day. The rents of this see, like those of every other in the kingdom, have been grievously clipped in the late political troubles. They are stated by the intelligent author of "A Year in Spain," on the authority of the clergy of the diocese, at only one-third of the above sum; an estimate confirmed by Mr. Inglis, who computes them at £40,000. Spain in 1830, vol. i. ch. 11.

city in Castile was liberally supplied.[81] But in the hands of worldly men they were perverted from these noble uses to the gratification of personal vanity or the disorganizing schemes of faction. The moral perceptions of the people, in the mean time, were confused by the visible demeanor of the hierarchy, so repugnant to the natural conceptions of religious duty. They learned to attach an exclusive value to external rites, to the forms rather than the spirit of Christianity; estimating the piety of men by their speculative opinions rather than their practical conduct. The ancient Spaniards, notwithstanding their prevalent superstition, were untinctured with the fiercer religious bigotry of later times; and the uncharitable temper of their priests, occasionally disclosed in the heats of religious war, was controlled by public opinion, which accorded a high degree of respect to the intellectual as well as political superiority of the Arabs. But the time was now coming when these ancient barriers were to be broken down; when a difference of religious sentiment was to dissolve all the ties of human brotherhood; when uniformity of faith was to be purchased by the sacrifice of any rights, even those of intellectual freedom; when, in fine, the Christian and the Mussulman, the oppressor and the oppressed, were to be alike bowed down under the strong arm of ecclesiastical tyranny. The means by which a revolution so disastrous to Spain was effected, as well as the

[81] Modern travellers, who condemn without reserve the corruption of the inferior clergy, bear uniform testimony to the exemplary piety and munificent charities of the higher dignitaries of the church.

incipient stages of its progress, are topics that fall within the scope of the present history.

From the preceding survey of the constitutional privileges enjoyed by the different orders of the Castilian monarchy previous to the fifteenth century, it is evident that the royal authority must have been circumscribed within very narrow limits. The numerous states into which the great Gothic empire was broken after the conquest were individually too insignificant to confer on their respective sovereigns the possession of extensive power, or even to authorize the assumption of that state by which it is supported in the eyes of the vulgar. When some more fortunate prince, by conquest or alliance, had enlarged the circle of his dominions, and thus in some measure remedied the evil, it was sure to recur upon his death, by the subdivision of his estates among his children.* This mischievous practice was even countenanced by public opinion; for the different districts of the country, in their habitual independence of each other, acquired an exclusiveness of feeling which made it difficult for them ever cordially to coalesce; and traces of this early antipathy are to be discerned in the mutual jealousies and local peculiarities which still distinguish the different sections of the Peninsula, after their consolidation into one monarchy for more than three centuries.

The election to the crown, although no longer vested in the hands of the national assembly, as with the Visigoths, was yet subject to its approba-

* [In the other states of Europe this Germanic practice was done away with long before.—M.]

tion. The title of the heir apparent was formally recognized by a cortes convoked for the purpose; and, on the decease of his parent, the new sovereign again convened the estates to receive their oath of allegiance, which they cautiously withheld until he had first sworn to preserve inviolate the liberties of the constitution. Nor was this a merely nominal privilege, as was evinced on more than one memorable occasion.[82]

We have seen, in our review of the popular branch of the government, how closely its authority pressed even on the executive functions of the administration. The monarch was still further controlled, in this department, by his royal or privy council, consisting of the chief nobility and great officers of state, to which, in later times, a deputation of the commons was sometimes added.[83] This body, together with the king, had cognizance of the most important public transactions, whether of a civil, military, or diplomatic nature. It was established by positive enactment that the prince,

[82] Marina, Teoría, part. 2, cap. 2, 5, 6.—A remarkable instance of this occurred as late as the accession of Charles V.

[83] The earliest example of this permanent committee of the commons, residing at court, and entering into the king's council, was in the minority of Ferdinand IV., in 1295. The subject is involved in some obscurity, which Marina has not succeeded in dispelling. He considers the deputation to have formed a necessary and constituent part of the council, from the time of its first appointment. (Theoría, tom. ii. cap. 27, 28.) Sempere, on the other hand, discerns no warrant for this, after its introduction, till the time of the Austrian dynasty. (Histoire des Cortès, chap. 29.) Marina, who too often mistakes anomaly for practice, is certainly not justified, even by his own showing, in the sweeping conclusions at which he arrives. But, if his prejudices lead him to see more than has happened, on the one hand, those of Sempere, on the other, make him sometimes "high gravel blind."

without its consent, had no right to alienate the royal demesne, to confer pensions beyond a very limited amount, or to nominate to vacant benefices.[84] His legislative powers were to be exercised in concurrence with the cortes;[85] and, in the judicial department, his authority, during the latter part of the period under review, seems to have been chiefly exercised in the selection of officers for the higher judicatures, from a list of candidates presented to him on a vacancy by their members concurrently with his privy council.[86]

[84] The important functions and history of this body are investigated by Marina. (Teoría, part. 2, cap. 27, 28, 29.) See also Sempere (Histoire des Cortès, cap. 16), and the Informe de Don Agustin Riol (apud Semanario erudito, tom. iii. pp. 113 et seq.), where, however, its subsequent condition is chiefly considered.

[85] Not so exclusively, however, by any means, as Marina pretends. (Teoría, part. 2, cap. 17, 18.) He borrows a pertinent illustration from the famous code of Alfonso X., which was not received as law of the land till it had been formally published in cortes, in 1348, more than seventy years after its original compilation. In his zeal for popular rights, he omits to notice, however, the power, so frequently assumed by the sovereign, of granting *fueros*, or municipal charters; a right, indeed, which the great lords, spiritual and temporal, exercised in common with him, subject to his sanction. See a multitude of these seignorial codes, enumerated by Asso and Manuel. (Instituciones, Introd., pp. 31 et seq.) The monarch claimed, moreover, though not by any means so freely as in later times, the privilege of issuing *pragmáticas*, ordinances of an executive character, or for the redress of grievances submitted to him by the national legislature. Within certain limits, this was undoubtedly a constitutional prerogative. But the history of Castile, like that of most other countries in Europe, shows how easily it was abused in the hands of an arbitrary prince.

[86] The civil and criminal business of the kingdom was committed, in the last resort, to the very ancient tribunal of *alcaldes de casa y corte*, until, in 1371, a new one, entitled the royal audience or chancery, was constituted under Henry II., with supreme and ultimate jurisdiction in civil causes. These, in the first instance, however, might be brought before the *alcaldes de la corte*, which continued, and has since continued, the high court in criminal matters. The *audiencia*, or chancery, consisted at first of seven judges,

The scantiness of the king's revenue corresponded with that of his constitutional authority. By an ancient law, indeed, of similar tenor with one familiar to the Saracens, the sovereign was entitled to a fifth of the spoils of victory.[87] This, in the course of the long wars with the Moslems, would have secured him more ample possessions than were enjoyed by any other prince in Christendom. But several circumstances concurred to prevent this result.

The long minorities, with which Castile was afflicted perhaps more than any other country in Europe, frequently threw the government into the hands of the principal nobility, who perverted to their own emoluments the high powers intrusted to them. They usurped the possessions of the crown, and invaded some of its most valuable privileges; so that the sovereign's subsequent life was often consumed in fruitless attempts to repair the losses of his minority. He sometimes, indeed, in the impotence of other resources, resorted to such un-

whose number varied a good deal afterwards. They were appointed by the crown, in the manner mentioned in the text. Their salaries were such as to secure their independence, as far as possible, of any undue influence; and this was still further done by the supervision of cortes, whose acts show the deep solicitude with which it watched over the concerns and conduct of this important tribunal. For a notice of the original organization and subsequent modifications of the Castilian courts, consult Marina (Teoría, part. 2, cap. 21–25), Riol (Informe, apud Semanario erudito, tom. iii. pp. 129 et seq.), and Sempere (Histoire des Cortès, chap. 15), whose loose and desultory remarks show perfect familiarity with the subject, and presuppose more than is likely to be found in the reader.

[87] Siete Partidas, part. 2, tit. 26, leyes 5, 6, 7.—Mendoza notices this custom as recently as Philip II.'s day. Guerra de Granada, p. 170.

happy expedients as treachery and assassination.[88] A pleasant tale is told by the Spanish historians, of the more innocent device of Henry the Third, for the recovery of the estates extorted from the crown by the rapacious nobles during his minority.

Returning home late one evening, fatigued and half famished, from a hunting expedition, he was chagrined to find no refreshment prepared for him, and still more so to learn from his steward that he had neither money nor credit to purchase it. The day's sport, however, fortunately furnished the means of appeasing the royal appetite; and, while this was in progress, the steward took occasion to contrast the indigent condition of the king with that of his nobles, who habitually indulged in the most expensive entertainments, and were that very evening feasting with the archbishop of Toledo. The prince, suppressing his indignation, determined, like the far-famed caliph in the "Arabian Nights," to inspect the affair in person, and, assuming a disguise, introduced himself privately into the archbishop's palace, where he witnessed with his own eyes the prodigal magnificence of the banquet, teeming with costly wines and the most luxurious viands.

The next day he caused a rumor to be circulated through the court, that he had fallen suddenly and dangerously ill. The courtiers, at these tidings, thronged to the palace; and, when they had all assembled, the king made his appearance among them, bearing his naked sword in his hand, and, with an aspect of unusual severity, seated

[88] Mariana, Hist. de España, lib. 15, cap. 19, 20.

himself on his throne at the upper extremity of the apartment.

After an interval of silence in the astonished assembly, the monarch, addressing himself to the primate, inquired of him how many sovereigns he had known in Castile. The prelate answering four, Henry put the same question to the duke of Benevente, and so on to the other courtiers in succession. None of them, however, having answered more than five, "How is this," said the prince, "that you, who are so old, should have known so few, while I, young as I am, have beheld more than twenty? Yes," continued he, raising his voice, to the astonished multitude, "you are the real sovereigns of Castile, enjoying all the rights and revenues of royalty, while I, stripped of my patrimony, have scarcely wherewithal to procure the necessaries of life." Then, giving a concerted signal, his guards entered the apartment, followed by the public executioner bearing along with him the implements of death. The dismayed nobles, not relishing the turn the jest appeared likely to take, fell on their knees before the monarch and besought his forgiveness, promising, in requital, complete restitution of the fruits of their rapacity. Henry, content with having so cheaply gained his point, allowed himself to soften at their entreaties, taking care, however, to detain their persons as security for their engagements, until such time as the rents, royal fortresses, and whatever effects had been filched from the crown were restored. The story, although repeated by the gravest Castilian writers, wears, it must be owned, a marvel-

lous tinge of romance. But, whether fact, or founded on it, it may serve to show the dilapidated condition of the revenues at the beginning of the fourteenth century, and its immediate causes.[89]

Another circumstance which contributed to impoverish the exchequer was the occasional political revolutions in Castile, in which the adhesion of a faction was to be purchased only by the most ample concessions of the crown. Such was the violent revolution which placed the house of Trastamara on the throne, in the middle of the fourteenth century.

But perhaps a more operative cause than all these, of the alleged evil, was the conduct of those imbecile princes who, with heedless prodigality, squandered the public resources on their own personal pleasures and unworthy minions. The disastrous reigns of John the Second and Henry the Fourth, extending over the greater portion of the fifteenth century, furnish pertinent examples of this. It was not unusual, indeed, for the cortes, interposing its paternal authority, by passing an act for the partial resumption of grants thus illegally made, in some degree to repair the broken condition of the finances. Nor was such a resump-

[89] Garibay, Compendio, tom. ii. p. 399. Mariana, Hist. de España, tom. ii. pp. 234, 235.—Pedro Lopez de Ayala, chancellor of Castile and chronicler of the reigns of four of its successive monarchs, terminated his labors abruptly with the sixth year of Henry III., the subsequent period of whose administration is singularly barren of authentic materials for history. The editor of Ayala's Chronicle considers the adventure quoted in the text as fictitious, and probably suggested by a stratagem employed by Henry for the seizure of the duke of Benevente, and by his subsequent imprisonment at Burgos. See Ayala, Crónica de Castilla, p. 355, note (ed. de la Acad., 1780).

tion unfair to the actual proprietors. The promise to maintain the integrity of the royal demesnes formed an essential part of the coronation oath of every sovereign; and the subject on whom he afterwards conferred them knew well by what a precarious, illicit tenure he was to hold them.

From the view which has been presented of the Castilian constitution at the beginning of the fifteenth century, it is apparent that the sovereign was possessed of less power, and the people of greater, than in other European monarchies at that period. It must be owned, however, as before intimated, that the practical operation did not always correspond with the theory of their respective functions in these rude times; and that the powers of the executive, being susceptible of greater compactness and energy in their movements than could possibly belong to those of more complex bodies, were sufficiently strong in the hands of a resolute prince to break down the comparatively feeble barriers of the law. Neither were the relative privileges assigned to the different orders of the state equitably adjusted. Those of the aristocracy were indefinite and exorbitant. The license of armed combinations too, so freely assumed both by this order and the commons, although operating as a safety-valve for the escape of the effervescing spirit of the age, was itself obviously repugnant to all principles of civil obedience, and exposed the state to evils scarcely less disastrous than those which it was intended to prevent.

It was apparent that, notwithstanding the mag-

nitude of the powers conceded to the nobility and the commons, there were important defects, which prevented them from resting on any sound and permanent basis. The representation of the people in cortes, instead of partially emanating, as in England, from an independent body of landed proprietors, constituting the real strength of the nation, proceeded exclusively from the cities, whose elections were much more open to popular caprice and ministerial corruption, and whose numerous local jealousies prevented them from acting in cordial co-operation. The nobles, notwithstanding their occasional coalitions, were often arrayed in feuds against each other. They relied, for the defence of their privileges, solely on their physical strength, and heartily disdained, in any emergency, to support their own cause by identifying it with that of the commons. Hence it became obvious that the monarch, who, notwithstanding his limited prerogative, assumed the anomalous privilege of transacting public business with the advice of only one branch of the legislature, and of occasionally dispensing altogether with the attendance of the other, might, by throwing his own influence into the scale, give the preponderance to whichever party he should prefer, and, by thus dexterously availing himself of their opposite forces, erect his own authority on the ruins of the weaker. How far and how successfully this policy was pursued by Ferdinand and Isabella, will be seen in the course of this History.

Notwithstanding the general diligence of the Spanish historians, they have done little towards the investigation of the constitu-

tional antiquities of Castile, until the present century. Dr. Geddes's meagre notice of the cortes preceded probably by a long interval any native work upon that subject. Robertson frequently complains of the total deficiency of authentic sources of information respecting the laws and government of Castile; a circumstance that suggests to a candid mind an obvious explanation of several errors into which he has fallen. Capmany, in the preface to a work compiled by order of the central junta in Seville, in 1809, on the ancient organization of the cortes in the different states of the Peninsula, remarks that "no author has appeared, down to the present day, to instruct us in regard to the origin, constitution, and celebration of the Castilian cortes, on all which topics there remains the most profound ignorance." The melancholy results to which such an investigation must necessarily lead, from the contrast it suggests of existing institutions to the freer forms of antiquity, might well have deterred the modern Spaniard from these inquiries; which, moreover, it can hardly be supposed would have received the countenance of government. The brief interval, however, in the early part of the present century, when the nation so ineffectually struggled to resume its ancient liberties, gave birth to two productions which have gone far to supply the *desiderata* in this department. I allude to the valuable works of Marina, on the early legislation and on the cortes of Castile, to which repeated reference has been made in this section. The latter, especially, presents us with a full exposition of the appropriate functions assigned to the several departments of government, and with the parliamentary history of Castile deduced from original, unpublished records. It is unfortunate that his copious illustrations are arranged in so unskilful a manner as to give a dry and repulsive air to the whole work. The original documents on which it is established, instead of being reserved for an appendix, and their import only conveyed in the text, stare at the reader in every page, arrayed in all the technicalities, periphrases, and repetitions incident to legal enactments. The course of the investigation is, moreover, frequently interrupted by impertinent dissertations on the constitution of 1812, in which the author has fallen into abundance of crudities, which he would have escaped had he but witnessed the practical operation of those liberal forms of government which he so justly admires. The sanguine temper of Marina has also betrayed him into the error of putting, too uniformly, a favorable construction on the proceedings of the commons, and of frequently deriving a constitutional precedent from what can only be regarded as an accidental and transient exertion of power in a season of popular excitement.

The student of this department of Spanish history may consult, in conjunction with Marina, Sempere's little treatise, often quoted, on the History of the Castilian Cortes. It is, indeed, too limited

and desultory in its plan to afford anything like a complete view of the subject. But, as a sensible commentary, by one well skilled in the topics that he discusses, it is of undoubted value. Since the political principles and bias of the author were of an opposite character to Marina's, they frequently lead him to opposite conclusions in the investigation of the same facts. Making all allowance for obvious prejudices, Sempere's work, therefore, may be of much use in correcting the erroneous impressions made by the former writer, whose fabric of liberty too often rests, as exemplified more than once in the preceding pages, on an ideal basis. But, with every deduction, Marina's publications must be considered an important contribution to political science. They exhibit an able analysis of a constitution which becomes singularly interesting from its having furnished, together with that of the sister kingdom of Aragon, the earliest example of representative government, as well as from the liberal principles on which that government was long administered.

SECTION II

REVIEW OF THE CONSTITUTION OF ARAGON, TO THE MIDDLE OF THE FIFTEENTH CENTURY

Rise of Aragon—Ricos Hombres—Their Immunities—Their Turbulence — Privileges of Union — The Legislature — Its Forms—Its Powers—General Privilege—Judicial Functions of Cortes—The Justice—His Great Authority—Rise and Opulence of Barcelona —Her Free Institutions—Intellectual Culture

THE political institutions of Aragon, although bearing a general resemblance to those of Castile, were sufficiently dissimilar to stamp a peculiar physiognomy on the character of the nation, which still continued after it had been incorporated with the great mass of the Spanish monarchy. It was not until the expiration of nearly five centuries after the Saracen invasion that the little district of Aragon, growing up under the shelter of the Pyrenees, was expanded into the dimensions of the province which now bears that name. During this period, it was painfully struggling into being, like the other states of the Peninsula, by dint of fierce, unintermitted warfare with the infidel.

Even after this period, it would probably have filled but an insignificant space in the map of history, and, instead of assuming an independent station, have been compelled, like Navarre, to accommodate itself to the politics of the potent monarchies by which it was surrounded, had it not

extended its empire by a fortunate union with Catalonia in the twelfth, and the conquest of Valencia in the thirteenth century.[1] These new territories were not only far more productive than its own, but, by their long line of coast and commodious ports, enabled the Aragonese, hitherto pent up within their barren mountains, to open a communication with distant regions.

The ancient county of Barcelona had reached a higher degree of civilization than Aragon, and was distinguished by institutions quite as liberal. The seaboard would seem to be the natural seat of liberty. There is something in the very presence, in the atmosphere of the ocean, which invigorates not only the physical but the moral energies of man. The adventurous life of the mariner familiarizes him with dangers, and early accustoms him to independence. Intercourse with various climes opens new and more copious sources of knowledge; and increased wealth brings with it an augmentation of power and consequence. It was in the maritime cities scattered along the Mediterranean that the seeds of liberty, both in ancient and modern times, were implanted and brought to maturity. During the Middle Ages, when the people of Europe generally maintained a toilsome and infrequent intercourse with each other, those situated on the margin of this inland ocean found an easy mode of communication across the high-road of its waters. They mingled in war too as in

[1] Catalonia was united with Aragon by the marriage of Queen Petronilla with Raymond Berengere, count of Barcelona, in 1150. Valencia was conquered from the Moors by James I. in 1238.

peace, and this long period is filled with their international contests, while the other free cities of Christendom were wasting themselves in civil feuds and degrading domestic broils. In this wide and various collision their moral powers were quickened by constant activity; and more enlarged views were formed, with a deeper consciousness of their own strength, than could be obtained by those inhabitants of the interior who were conversant with only a limited range of objects, and subjected to the influence of the same dull, monotonous circumstances.

Among these maritime republics, those of Catalonia were eminently conspicuous. By the incorporation of this country with the kingdom of Aragon, therefore, the strength of the latter was greatly augmented. The Aragonese princes, well aware of this, liberally fostered institutions to which the country owed its prosperity, and skilfully availed themselves of its resources for the aggrandizement of their own dominions. They paid particular attention to the navy, for the more perfect discipline of which a body of laws was prepared by Peter the Fourth, in 1354, that was designed to render it invincible. No allusion whatever is made in this stern code to the mode of surrendering to or retreating from the enemy. The commander, who declined attacking any force not exceeding his own by more than one vessel, was punished with death.[2] The Catalan navy success-

[2] Capmany, Mem. de Barcelona, tom. iii. pp. 45–47.—The Catalans were much celebrated during the Middle Ages for their skill with the crossbow; for a more perfect instruction in which, the

fully disputed the empire of the Mediterranean with the fleets of Pisa, and still more of Genoa. With its aid, the Aragonese monarchs achieved the conquest successively of Sicily, Sardinia, and the Balearic Isles, and annexed them to the empire.[3] It penetrated into the farthest regions of the Levant; and the expedition of the Catalans into Asia, which terminated with the more splendid than useful acquisition of Athens, forms one of the most romantic passages in this stirring and adventurous era.[4]

But, while the princes of Aragon were thus enlarging the bounds of their dominion abroad, there was probably not a sovereign in Europe possessed of such limited authority at home. The three great states, with their dependencies, which constituted the Aragonese monarchy, had been declared by a statute of James the Second, in 1319, inalienable and indivisible.[5] Each of them, however, maintained a separate constitution of government, and was administered by distinct laws. As it would be fruitless to investigate the peculiarities of their respective institutions, which bear a very

municipality of Barcelona established games and gymnasiums. Ibid., tom. i. p. 113.

[3] Sicily revolted to Peter III. in 1282.—Sardinia was conquered by James II. in 1324, and the Balearic Isles by Peter IV. in 1343–4. —Zurita, Anales, tom. i. fol. 247; tom. ii. fol. 60.—Hermilly, Histoire du Royaume de Majorque (Maestricht, 1777), pp. 227–268.

[4] Hence the title of duke of Athens, assumed by the Spanish sovereigns. The brilliant fortunes of Roger de Flor are related by count Moncada (Expedicion de los Catalanes y Aragoneses contra Turcos y Griegos, Madrid, 1805), in a style much commended by Spanish critics for its elegance. See Mondejar, Advertencias, p. 114.

[5] It was confirmed by Alfonso III., in 1328. Zurita, Anales, tom. ii. fol. 90.

close affinity to one another, we may confine ourselves to those of Aragon, which exhibit a more perfect model than those either of Catalonia or Valencia, and have been far more copiously illustrated by her writers.

The national historians refer the origin of their government to a written constitution of about the middle of the ninth century, fragments of which are still preserved in certain ancient documents and chronicles. On occurrence of a vacancy in the throne, at this epoch, a monarch was elected by the twelve principal nobles, who prescribed a code of laws, to the observance of which he was obliged to swear before assuming the sceptre. The import of these laws was to circumscribe within very narrow limits the authority of the sovereign, distributing the principal functions to a *Justicia,* or Justice, and these same peers, who, in case of a violation of the compact by the monarch, were authorized to withdraw their allegiance, and, in the bold language of the ordinance, "to substitute any other ruler in his stead, even a pagan, if they listed." [6] The whole of this wears much of a

[6] See the fragments of the *Fuero de Soprarbe*, cited by Blancas, Aragonensium Rerum Commentarii (Cæsaraugustæ, 1588), pp. 25–29.—The well-known oath of the Aragonese to their sovereign on his accession, "Nos que valemos tanto como vos," etc.,* frequently quoted by historians, rests on the authority of Antonio Perez, the unfortunate minister of Philip II., who, however good a voucher for the usages of his own time, has made a blunder in the very sentence preceding this, by confounding the Privilege of Union with one of the Laws of Soprarbe, which shows him to be insufficient, especially as he is the only, authority for this ancient ceremony. See Antonio Perez, Relaciones (Paris, 1598), fol. 92.

* ["Nos que valemos tanto como vos, os hazemos nuestro rey y señor, con tal que nos guardeys nuestros fueros y libertades, y si

fabulous aspect, and may remind the reader of the government which Ulysses met with in Phæacia; where King Alcinous is surrounded by his "twelve illustrious peers or archons," subordinate to himself, "who," says he, "rule over the people, I myself being the thirteenth."[7] But, whether true or not, this venerable tradition must be admitted to have been well calculated to repress the arrogance of the Aragonese monarchs, and to exalt the minds of their subjects by the image of ancient liberty which it presented.[8]

The great barons of Aragon were few in number. They affected to derive their descent from the twelve peers above mentioned, and were styled

[7] Δώδεκα γὰρ κατὰ δῆμον ἀριπρεπέες βασιλῆες
Αρχοὶ κραίνουσι, τρισκαιδέκατος δ' ἐγὼ αὐτός.
Odyss. Θ. 390.

In like manner Alfonso III. alludes to "the ancient times in Aragon, when there were as many kings as ricos hombres." See Zurita, Anales, tom. i. fol. 316.

[8] The authenticity of the "Fuero de Soprarbe" has been keenly debated by the Aragonese and Navarrese writers. Moret, in refutation of Blancas, who espouses it (see Commentarii, p. 289), states that, after a diligent investigation of the archives of that region, he finds no mention of the laws, or even of the *name,* of Soprarbe, until the eleventh century; a startling circumstance for the antiquary. (Investigaciones históricas de las Antigüedades del Reyno de Navarra (Pamplona, 1766), tom. vi. lib. 2, cap. 11.) Indeed, the historians of Aragon admit that the public documents previous to the fourteenth century suffered so much from various causes as to leave comparatively few materials for authentic narrative. (Blancas, Commentarii, Pref.—Risco, España sagrada, tom. xxx. Prólogo.) Blancas transcribed his extract of the Laws of Soprarbe principally from Prince Charles of Viana's History, written in the fifteenth century. See Commentarii, p. 25.

No, No." Or, to use the English translation of another form more frequently given, "We, who are each of us as good, *and who are altogether more powerful than you,* promise obedience to your government if you maintain our rights and liberties; but if not, not."—M.]

*ricos * hombres de natura,* implying by this epithet that they were not indebted for their creation to the will of the sovereign. No estate could be legally conferred by the crown, as an *honor* (the denomination of fiefs in Aragon), on any but one of these high nobles. This, however, was in time evaded by the monarchs, who advanced certain of their own retainers to a level with the ancient peers of the land; a measure which proved a fruitful source of disquietude.[9] No baron could be divested of his fief, unless by public sentence of the Justice and the cortes. The proprietor, however, was required, as usual, to attend the king in council, and to perform military service, when summoned, during two months in the year, at his own charge.[10]

The privileges, both honorary and substantial, enjoyed by the *ricos hombres* were very considerable. They filled the highest posts in the state. They originally appointed judges in their domains for the cognizance of certain civil causes, and over a class of their vassals exercised an unlimited criminal jurisdiction. They were excused from

[9] Asso y Manuel, Instituciones, pp. 39, 40.—Blancas, Commentarii, pp. 333, 334, 340.—Fueros y Observancias del Reyno de Aragon (Zaragoza, 1667), tom. i. fol. 130.—The *ricos hombres* thus created by the monarch were styled *de mesnada,* signifying "of the household." It was lawful for a *rico hombre* to bequeath his honors to whichsoever of his legitimate children he might prefer, and, in default of issue, to his nearest of kin. He was bound to distribute the bulk of his estates in fiefs among his knights, so that a complete system of subinfeudation was established. The knights, on restoring their fiefs, might change their suzerains at pleasure.

[10] Asso y Manuel, Instituciones, p. 41.—Blancas, Commentarii, pp. 307, 322, 331.

* [Not from wealth, "*ricos*," but probably from the Gothic *reichs*.—M.]

taxation except in specified cases; were exempted from all corporal and capital punishment; nor could they be imprisoned, although their estates might be sequestrated, for debt. A lower class of nobility, styled *infanzones,* equivalent to the Castilian *hidalgos,* together with the *caballeros,* or knights, were also possessed of important though inferior immunities.[11]

The king distributed among the great barons the territory reconquered from the Moors, in proportions determined by the amount of their respective services. We find a stipulation to this effect from James the First to his nobles, previous to his invasion of Majorca.[12] On a similar principle they claimed nearly the whole of Valencia.[13] On occupying a city, it was usual to divide it into *barrios,* or districts, each of which was granted by way of fief to some one of the ricos hombres, from which he was to derive his revenue. What proportion of the conquered territory was reserved for the royal demesne does not appear.[14] We find one of these nobles, Bernard de Cabrera, in the latter part of the fourteenth century, manning a fleet of king's ships on his own credit; another, of the ancient family of Luna, in the fifteenth century, so wealthy that he could travel through an almost unbroken line of his estates all the way from Castile

[11] Fueros y Observancias, tom. i. fol. 130.—Martel, Forma de celebrar Cortes en Aragon (Zaragoza, 1641), p. 98.—Blancas, Commentarii, pp. 306, 312–317, 323, 360.—Asso y Manuel, Instituciones, pp. 40–43.

[12] Zurita, Anales, tom. i. fol. 124.

[13] Blancas, Commentarii, p. 334.

[14] See the partition of Sargossa by Alonso the Warrior. Zurita, Anales, tom. i. fol. 43.

to France.[15] With all this, their incomes in general, in this comparatively poor country, were very inferior to those of the great Castilian lords.[16]

The laws conceded certain powers to the aristocracy, of a most dangerous character. They were entitled, like the nobles of the sister kingdom, to defy, and publicly renounce their allegiance to, their sovereign, with the whimsical privilege, in addition, of commending their families and estates to his protection, which he was obliged to accord until they were again reconciled.[17] The mischievous right of private war was repeatedly recognized by statute. It was claimed and exercised in its full extent, and occasionally with circumstances of peculiar atrocity. An instance is recorded by Zurita of a bloody feud between two of these nobles, prosecuted with such inveteracy that the parties bound themselves by solemn oath never to desist from it during their lives, and to resist every effort, even on the part of the crown itself, to effect a pacification between them.[18] This remnant of barbarism lingered longer in Aragon than in any other country in Christendom.

[15] Mariana, Hist. de España, tom. ii. p. 198.—Blancas, Commentarii, p. 218.

[16] See a register of these at the beginning of the sixteenth century, apud L. Marineo, Cosas memorables, fol. 25.

[17] Zurita, Anales, tom. ii. fol. 127.—Blancas, Commentarii, p. 324. —"Adhæc Ricis hominibus ipsis majorum more institutisque concedebatur, ut sese possent, dum ipsi vellent, a nostrorum Regum jure et potestate, quasi nodum aliquem, expedire; neque expedire solum, *sed dimisso prius, quo potirentur, Honore*, bellum ipsis inferre; Reges vero Rici hominis sic expediti uxorem, filios, familiam, res bona, et fortunas omnes in suam recipere fidem tenebantur. Neque ulla erat eorum utilitatis facienda jactura."

[18] Fueros y Observancias, tom. i. p. 84.—Zurita, Anales, tom. i. fol. 350.

The Aragonese sovereigns, who were many of them possessed of singular capacity and vigor,[19] made repeated efforts to reduce the authority of their nobles within more temperate limits. Peter the Second, by a bold stretch of prerogative, stripped them of their most important rights of jurisdiction.[20] James the Conqueror artfully endeavored to counterbalance their weight by that of the commons and the ecclesiastics.[21] But they were too formidable when united, and too easily united, to be successfully assailed. The Moorish wars terminated, in Aragon, with the conquest of Valencia, or rather the invasion of Murcia, by the middle of the thirteenth century. The tumultuous spirits of the aristocracy, therefore, instead of finding a vent, as in Castile, in these foreign expeditions, were turned within, and convulsed their own country with perpetual revolution. Haughty from the consciousness of their exclusive privileges and of the limited number who monopolized them, the Aragonese barons regarded themselves rather as the rivals of the sovereign than as his inferiors.* Intrenched within the mountain fastnesses which

[19] Blancas somewhere boasts that no one of the kings of Aragon has been stigmatized by a cognomen of infamy, as in most of the other royal races of Europe. Peter IV., "the ceremonious," richly deserved one.†

[20] Zurita, Anales, tom. i. fol. 102.

[21] Zurita, Anales, tom. i. fol. 198.—He recommended this policy to his son-in-law, the king of Castile.

* [Yet Castelar, Estudios Históricos, p. 49, writes: "The aristocracy of Aragon fought at all times, not for power, but for popular liberty."—M.]

† [He was almost as cruel as Peter the Cruel, of Castile, and quite as faithless as that miracle of depravity. Castelar is forced to admit that he never spoke the truth.—M.]

the rugged nature of the country everywhere afforded, they easily bade defiance to his authority. Their small number gave a compactness and concert to their operations which could not have been obtained in a multitudinous body. Ferdinand the Catholic well discriminated the relative position of the Aragonese and Castilian nobility, by saying, "it was as difficult to divide the one as to unite the other." [22]

These combinations became still more frequent after formally receiving the approbation of King Alfonso the Third, who, in 1287, signed the two celebrated ordinances entitled the "Privileges of Union," by which his subjects were authorized to resort to arms on an infringement of their liberties.[23] The *hermandad* of Castile had never been countenanced by legislative sanction; it was chiefly resorted to as a measure of police, and was directed more frequently against the disorders of the nobility than of the sovereign; it was organized with difficulty, and, compared with the Union of Aragon, was cumbrous and languid in its operations. While these privileges continued in force, the nation was delivered over to the most frightful anarchy. The least offensive movement on the part of the monarch, the slightest encroachment on personal right or privilege, was the signal for a general revolt. At the cry of *Union,* that "last voice," says the enthusiastic historian, "of the expiring republic, full of authority and majesty, and

[22] Sempere, Histoire des Cortés, p. 164.

[23] Zurita, Anales, lib. 4, cap. 96.—Abarca dates this event in the year preceding. Reyes de Aragon, en Anales históricos (Madrid, 1682–1684), tom. ii. fol. 8.

an open indication of the insolence of kings," the nobles and the citizens eagerly rushed to arms. The principal castles belonging to the former were pledged as security for their fidelity, and intrusted to conservators, as they were styled, whose duty it was to direct the operations and watch over the interests of the Union. A common seal was prepared, bearing the device of armed men kneeling before their king, intimating at once their loyalty and their resolution, and a similar device was displayed on the standard and the other military insignia of the confederates.[24]

The power of the monarch was as nothing before this formidable array. The Union appointed a council to control all his movements, and, in fact, during the whole period of its existence, the reigns of four successive monarchs, it may be said to have dictated law to the land. At length Peter the Fourth, a despot in heart, and naturally enough impatient of this eclipse of regal prerogative, brought the matter to an issue by defeating the army of the Union, at the memorable battle of Epila, in 1348, " the last," says Zurita, " in which it was permitted to the subject to take up arms against the sovereign for the cause of liberty." Then, convoking an assembly of the states at Saragossa, he produced before them the instrument containing the two Privileges, and cut it in pieces with his dagger. In doing this, having wounded himself in the hand, he suffered the blood to trickle upon the parchment, exclaiming that " a

[24] Blancas, Commentarii, pp. 192, 193.—Zurita, Anales, tom. i. fol. 266 et alibi.

law which had been the occasion of so much blood should be blotted out by the blood of a king." [25] All copies of it, whether in the public archives or in the possession of private individuals, were ordered, under a heavy penalty, to be destroyed. The statute passed to that effect carefully omits the date of the detested instrument, that all evidence of its existence might perish with it.[26]

Instead of abusing his victory, as might have been anticipated from his character, Peter adopted a far more magnanimous policy. He confirmed the ancient privileges of the realm, and made in addition other wise and salutary concessions. From this period, therefore, is to be dated the possession of constitutional liberty in Aragon (for surely the reign of unbridled license, above described, is not deserving that name); and this not so much from the acquisition of new immunities, as from the more perfect security afforded for the enjoyment of the old. The court of the *Justicia,* that great barrier interposed by the constitution between despotism on the one hand and popular license on the other, was more strongly protected, and causes hitherto decided by arms were referred for adjudication to this tribunal.[27] From this

[25] Zurita, Anales, tom. ii. fol. 126–130.—Blancas, Commentarii, pp. 195–197.—Hence he was styled "Peter of the Dagger;" and a statue of him, bearing in one hand this weapon and in the other the Privilege, stood in the Chamber of Deputation at Saragossa in Philip II.'s time. See Antonio Perez, Relaciones, fol. 95.

[26] See the statute, De Prohibitâ Unione, etc. Fueros y Observancias, tom. i. fol. 178.—A copy of the original Privileges was detected by Blancas among the manuscripts of the archbishop of Saragossa; but he declined publishing it, from deference to the prohibition of his ancestors. Commentarii, p. 179.

[27] "Hæc itaque domestica Regis victoria, quæ miserrimum uni-

period, too, the cortes, whose voice was scarcely heard amid the wild uproar of preceding times, was allowed to extend a beneficial and protecting sway over the land. And, although the social history of Aragon, like that of other countries in this rude age, is too often stained with deeds of violence and personal feuds, yet the state at large, under the steady operation of its laws, probably enjoyed a more uninterrupted tranquillity than fell to the lot of any other nation in Europe.

The Aragonese cortes was composed of four branches, or arms;[28] the ricos hombres, or great barons; the lesser nobles, comprehending the knights; the clergy; and the commons. The nobility of every denomination were entitled to a seat in the legislature. The ricos hombres were allowed to appear by proxy, and a similar privilege was enjoyed by baronial heiresses. The number of this body was very limited, twelve of them constituting a quorum.[29]

The arm of the ecclesiastics embraced an ample delegation from the inferior as well as higher clergy.[30] It is affirmed not to have been a com-

versæ Reipublicæ interitum videbatur esse allatura, stabilem nobis constituit pacem, tranquillitatem, et otium. Inde enim Magistratus Justitiæ Aragonum in eam, quam nunc colimus, amplitudinem dignitatis devenit." Ibid., p. 197.

[28] Martel, Forma de celebrar Cortes, cap. 8.—" Braços del reino porque, *abraçan,* y tienen en si."—The cortes consisted only of three arms in Catalonia and Valencia; both the greater and lesser nobility sitting in the same chamber. Perguera, Cortes en Cataluña, and Matheu y Sanz, Constitucion de Valencia, apud Capmany, Práctica y Estilo, pp. 65, 183, 184.

[29] Martel, Forma de celebrar Cortes, cap. 10, 17, 21, 46.—Blancas, Modo de proceder en Cortes de Aragon (Zaragoza, 1641), fol. 17, 18.

[30] Capmany, Práctica y Estilo, p. 12.

ponent of the national legislature until more than a century and a half after the admission of the commons.[31] Indeed, the influence of the church was much less sensible in Aragon than in the other kingdoms of the Peninsula. Notwithstanding the humiliating concessions of certain of their princes to the papal see, they were never recognized by the nation, who uniformly asserted their independence of the temporal supremacy of Rome, and who, as we shall see hereafter, resisted the introduction of the Inquisition, that last stretch of ecclesiastical usurpation, even to blood.[32]

The commons enjoyed higher consideration and civil privileges than in Castile. For this they were perhaps somewhat indebted to the example of their Catalan neighbors, the influence of whose democratic institutions naturally extended to other parts of the Aragonese monarchy. The charters of certain cities accorded to the inhabitants privileges of nobility, particularly that of immunity from taxation; while the magistrates of others were permitted to take their seats in the order of

[31] Blancas, Modo de proceder, fol. 14,—and Commentarii, p. 374.—Zurita, indeed, gives repeated instances of their convocation in the thirteenth and twelfth centuries, from a date almost coeval with that of the commons; yet Blancas, who made this subject his particular study, who wrote posterior to Zurita, and occasionally refers to him, postpones the era of their admission into the legislature to the beginning of the fourteenth century.

[32] One of the monarchs of Aragon, Alfonso the Warrior, according to Mariana, bequeathed all his dominions to the Templars and Hospitallers. Another, Peter II., agreed to hold his kingdom as a fief of the see of Rome, and to pay it an annual tribute. (Hist. de España, tom. i. pp. 596, 664.) This so much disgusted the people that they compelled his successors to make a public protest against the claims of the church, before their coronation.—See Blancas, Coronaciones de los serenisimos Reyes de Aragon (Zaragoza, 1641), cap. 2.

hidalgos.[33] From a very early period we find them employed in offices of public trust, and on important missions.[34] The epoch of their admission into the national assembly is traced as far back as 1133, several years earlier than the commencement of popular representation in Castile.[35] Each city had the right of sending two or more deputies selected from persons eligible to its magistracy; but with the privilege of only one vote, whatever might be the number of its deputies. Any place which had been once represented in cortes might always claim to be so.[36]

By a statute of 1307, the convocation of the states, which had been annual, was declared biennial. The kings, however, paid little regard to this provision, rarely summoning them except for some specific necessity.[37] The great officers of the crown, whatever might be their personal rank,

[33] Martel, Forma de celebrar Cortes, cap. 22.—Asso y Manuel, Instituciones, p. 44.

[34] Zurita, Anales, tom. i. fol. 163, A.D. 1250.

[35] Ibid., tom. i. fol. 51.—The earliest appearance of popular representation in Catalonia is fixed by Ripoll at 1283 (apud Capmany, Práctica y Estilo, p. 135). What can Capmany mean by postponing the introduction of the commons into the cortes of Aragon to 1300? (See p. 56.) Their presence and names are commemorated by the exact Zurita, several times before the close of the twelfth century.

[36] Práctica y Estilo, pp. 14, 17, 18, 30.—Martel, Forma de celebrar Cortes, cap. 10.—Those who followed a mechanical occupation, *including surgeons and apothecaries*, were excluded from a seat in cortes. (Cap. 17.) The faculty have rarely been treated with so little ceremony.

[37] Martel, Forma de celebrar Cortes, cap. 7.—The cortes appear to have been more frequently convoked in the fourteenth century than in any other. Blancas refers to no less than twenty-three within that period, averaging nearly one in four years. (Commentarii, Index, *voce* Comitia.) In Catalonia and Valencia, the cortes was to be summoned every three years. Berart, Discurso breve sobre la Celebracion de Cortes de Aragon (1626), fol. 12.

were jealously excluded from their deliberations. The session was opened by an address from the king in person, a point of which they were very tenacious; after which the different *arms* withdrew to their separate apartments.[38] The greatest scrupulousness was manifested in maintaining the rights and dignity of the body; and their intercourse with one another, and with the king, was regulated by the most precise forms of parliamentary etiquette.[39] The subjects of deliberation were referred to a committee from each order, who, after conferring together, reported to their several departments. Every question, it may be presumed, underwent a careful examination; as the legislature, we are told, was usually divided into two parties, "the one maintaining the rights of the monarch, the other, those of the nation," corresponding nearly enough with those of our day. It was in the power of any member to defeat the passage of a bill, by opposing to it his *veto* or dissent, formally registered to that effect. He might even interpose his negative on the proceedings of the house, and thus put a stop to the prosecution of all further business during the session. This anomalous privilege, transcending even that claimed in the Polish diet, must have

[38] Capmany, Práctica y Estilo, p. 15.—Blancas has preserved a specimen of an address from the throne, in 1398, in which the king, after selecting some moral apothegm as a text, rambles for the space of half an hour through Scripture, history, etc., and concludes with announcing the object of his convening the cortes together, in three lines. Commentarii, pp. 376–380.

[39] See the ceremonial detailed with sufficient prolixity by Martel (Forma de celebrar Cortes, cap. 52, 53), and a curious illustration of it in Zurita, Anales, tom. iv. fol. 313.

been too invidious in its exercise, and too pernicious in its consequences, to have been often resorted to. This may be inferred from the fact that it was not formally repealed until the reign of Philip the Second, in 1592. During the interval of the sessions of the legislature, a deputation of eight was appointed, two from each arm, to preside over public affairs, particularly in regard to the revenue, and the security of justice; with authority to convoke a cortes extraordinary, whenever the exigency might demand it.[40]

The cortes exercised the highest functions whether of a deliberate, legislative, or judicial nature. It had a right to be consulted on all matters of importance, especially on those of peace and war. No law was valid, no tax could be imposed, without its consent; and it carefully provided for the application of the revenue to its destined uses.[41] It determined the succession to the crown, removed obnoxious ministers, reformed the household and domestic expenditure of the monarch, and exercised the power, in the most

[40] Capmany, Práctica y Estilo, pp. 44 et seq.—Martel, Forma de celebrar Cortes, cap. 50, 60 et seq.—Fueros y Observancias, tom. i. fol. 229.—Blancas, Modo de proceder, fol. 2–4.—Zurita, Anales, tom. iii. fol. 321.—Robertson, misinterpreting a passage of Blancas (Commentarii, p. 375), states that a "session of cortes continued forty days." (History of Charles V., vol. i. p. 140.) It usually lasted months.

[41] Fueros y Observancias, fol. 6, tit. Privileg. Gen.—Blancas, Commentarii, p. 371.—Capmany, Práctica y Estilo, p. 51.—It was anciently the practice of the legislature to grant supplies of troops, but not of money. When Peter IV. requested a pecuniary subsidy, the cortes told him that "such things had not been usual; that his Christian subjects were wont to serve him with their persons, and it was only for Jews and Moors to serve him with money." Blancas, Modo de proceder, cap. 18.

unreserved manner, of withholding supplies, as well as of resisting what it regarded as an encroachment on the liberties of the nation.[42]

The excellent commentators on the constitution of Aragon have bestowed comparatively little attention on the development of its parliamentary history; confining themselves too exclusively to mere forms of procedure. The defect has been greatly obviated by the copiousness of their general historians. But the statute-book affords the most unequivocal evidence of the fidelity with which the guardians of the realm discharge the high trust reposed in them, in the numerous enactments it exhibits for the security both of person and property. Almost the first page which meets the eye in this venerable record contains the General Privilege, the Magna Charta, as it has been well denominated, of Aragon. It was granted by Peter the Great to the cortes at Saragossa, in 1283. It embraces a variety of provisions for the fair and open administration of justice; for ascertaining the legitimate powers intrusted to the cortes; for the security of property against exactions of the crown; and for the conservation of their legal immunities to the municipal corporations and the different orders of nobility. In short, the distinguishing excellence of this instrument, like that of Magna Charta, consists in the wise and equitable protection which it affords to all classes of the community.[43] The General Privilege, instead of being

[42] See examples of them in Zurita, Anales, tom. i. fol. 51, 263; tom. ii. fol. 391, 394, 424.—Blancas, Modo de proceder, fol. 98, 106.

[43] "There was such a conformity of sentiment among all parties," says Zurita, "that the privileges of the nobility were no better

wrested, like King John's charter, from a pusillanimous * prince, was conceded, reluctantly enough, it is true, in an assembly of the nation, by one of the ablest monarchs who ever sat on the throne of Aragon, at a time when his arms, crowned with repeated victory, had secured to the state the most important of her foreign acquisitions.

The Aragonese, who rightly regarded the General Privilege as the broadest basis of their liberties, repeatedly procured its confirmation by succeeding sovereigns. "By so many and such various precautions," says Blancas, "did our ancestors establish that freedom which their posterity have enjoyed; manifesting a wise solicitude that all orders of men, even kings themselves, confined within their own sphere, should discharge their legitimate functions without jostling or jarring with one another; for in this harmony consists the temperance of our government. Alas!" he adds, "how much of all this has fallen into desuetude from its antiquity, or been effaced by new customs!" [44]

secured than those of the commons. For the Aragonese deemed that the existence of the commonwealth depended not so much on its strength as on its liberties." (Anales, lib. 4, cap. 38.) In the confirmation of the privilege by James II., in 1325, torture, then generally recognized by the municipal law of Europe, was expressly prohibited in Aragon, "as unworthy of freemen." See Zurita, Anales, lib. 6, cap. 61, and Fueros y Observancias, tom. i. fol. 9, Declaratio Priv. Generalis.

"The patriotism of Blancas warms as he dwells on the illusory picture of ancient virtue and contrasts it with the degeneracy of his

* [*Pusillanimous* is hardly the adjective to apply to the man whom Green rightly terms "no weak and indolent voluptuary, but the ablest and most ruthless of the Angevins." Peter and John were not unlike in many characteristics. Only in his superstition was John cowardly.—M.]

The judicial functions of the cortes have not been sufficiently noticed by writers. They were extensive in their operation, and gave it the name of the General Court. They were principally directed to protect the subject from the oppressions of the crown and its officers; over all which cases it possessed original and ultimate jurisdiction. The suit was conducted before the Justice, as president of the cortes in its judicial capacity, who delivered an opinion conformable to the will of the majority.[45] The authority, indeed, of this magistrate in his own court was fully equal to providing adequate relief in all these cases.[46] But for several reasons this parliamentary tribunal was preferred. The process was both more expeditious and less

own day: "Et vero prisca hæc tanta severitas, desertaque illa et inculta vita, quando dies noctesque nostri armati concursabant, ac in bello et Maurorum sanguine assidui versabantur, verè quidem parsimoniæ, fortitudinis, temperantiæ, cæterarumque virtutum omnium magista fuit. In quâ maleficia ac scelera, quæ nunc in otiosâ hac nostrâ umbratili et delicatâ gignuntur, gigni non solebant; quin immo ita tunc æqualiter omnes omni genere virtutum floruere, ut egregia hæc laus videatur non hominum solum, verum illorum etiam temporum fuisse." (Commentarii, p. 340.)—The repeated confirmation of the General Privilege affords another point of analogy with Magna Charta, which, together with the Charter of the Forest, received, according to Lord Coke, the sanction of Parliament thirty-two several times. Institutes, part ii., Proeme.

[45] It was more frequently referred, both for the sake of expedition and of obtaining a more full investigation, to commissioners nominated conjointly by the cortes and the party demanding redress. The nature of the *greuges,* or grievances, which might be brought before the legislature, and the mode of proceeding in relation to them, are circumstantially detailed by the parliamentary historians of Aragon. See Berart, Discurso sobre la Celebracion de Cortes, cap. 7.—Capmany, Práctica y Estilo, pp. 37–44.—Blancas, Modo de proceder, cap. 14.—Martel, Forma de celebrar Cortes, cap. 54–59.

[46] Blancas, Modo de proceder, cap. 14.—Yet Peter IV., in his dispute with the Justice Fernandez de Castro, denied this. Zurita, Anales, tom. ii. fol. 170.

expensive to the suitor. Indeed, " the most obscure inhabitant of the most obscure village in the kingdom, although a foreigner," might demand redress of this body; and, if he was incapable of bearing the burden himself, the state was bound to maintain his suit, and provide him with counsel at its own charge. But the most important consequence resulting from this legislative investigation was the remedial laws frequently attendant on it. " And our ancestors," says Blancas, " deemed it great wisdom patiently to endure contumely and oppression for a season, rather than seek redress before an inferior tribunal, since, by postponing their suit till the meeting of cortes, they would not only obtain a remedy for their own grievance, but one of a universal and permanent application." [47]

The Aragonese cortes maintained a steady control over the operations of government, especially after the dissolution of the Union; and the weight of the commons was more decisive in it than in other similar assemblies of that period. Its singular distribution into four estates was favorable to this. The knights and *hidalgos,* an intermediate order between the great nobility and the people, when detached from the former, naturally lent additional support to the latter, with whom, indeed, they had considerable affinity. The representatives of certain cities, as well as a certain class of citizens, were entitled to a seat in this body; [48]

[47] Blancas, Modo de proceder, ubi supra.

[48] As for example the *ciudadanos honrados* of Saragossa. (Capmany, Práctica y Estilo, p. 14.) A *ciudadano honrado* in Catalonia, and I presume the same in Aragon, was a landowner, who lived on his rents without being engaged in commerce or trade of any kind,

so that it approached both in spirit and substance to something like a popular representation. Indeed, this arm of the cortes was so uniformly vigilant in resisting any encroachment on the part of the crown, that it has been said to represent, more than any other, the liberties of the nation.[49] In some other particulars the Aragonese commons possessed an advantage over those of Castile. 1. By postponing their money grants to the conclusion of the session, and regulating them in some degree by the previous dispositions of the crown, they availed themselves of an important lever relinquished by the Castilian cortes.[50] 2. The kingdom of Aragon proper was circumscribed within too narrow limits to allow of such local jealousies and estrangements, growing out of an apparent diversity of interests, as existed in the neighboring monarchy. Their representatives, therefore, were enabled to move with a more hearty concert, and on a more consistent line of policy. 3. Lastly, the acknowledged right to a seat in cortes possessed by every city which had once been represented there, and this equally whether summoned or not, if we may credit Capmany,[51] must have gone far to preserve the popular branch from the melan-

answering to the French *propriétaire*. See Capmany, Mem. de Barcelona, tom. ii. Apend. no. 30.

[49] Blancas, Modo de proceder, fol. 102.

[50] Not, however, it must be allowed, without a manly struggle in its defence, and which, in the early part of Charles V.'s reign, in 1525, wrenched a promise from the crown to answer all petitions definitely before the rising of cortes. The law still remains on the statute-book (Recop. de las Leyes, lib. 6, tit. 7, ley 8), a sad commentary on the faith of princes.

[51] Práctica y Estilo, p. 14.

choly state of dilapidation to which it was reduced in Castile by the arts of despotic princes. Indeed, the kings of Aragon, notwitstanding occasional excesses, seem never to have attempted any systematic invasion of the constitutional rights of their subjects. They well knew that the spirit of liberty was too high among them to endure it. When the queen of Alfonso the Fourth urged her husband, by quoting the example of her brother the king of Castile, to punish certain refractory citizens of Valencia, he prudently replied, "My people are free, and not so submissive as the Castilians. They respect me as their prince, and I hold them for good vassals and comrades." [52]

No part of the constitution of Aragon has excited more interest, or more deservedly, than the office of the *Justicia,* or Justice; [53] whose extraordinary functions were far from being limited to judicial matters, although in these his authority was supreme. The origin of this institution is affirmed to have been coeval with that of the constitution or frame of government itself.[54] If it were so, his authority may be said, in the language of Blancas, "to have slept in the scabbard" until the dissolution of the Union; when the control of a tumultuous aristocracy was exchanged for the mild and uniform operation of the law, administered by this, its supreme interpreter.

[52] "Y nos tenemos á ellos como buenos vassallos y compañeros." Zurita, Anales, lib. 7, cap. 17.

[53] The noun "justicia" was made masculine for the accommodation of this magistrate, who was styled "*el* justicia." Antonio Perez, Relaciones, fol. 91.

[54] Blancas, Commentarii, p. 26.—Zurita, Anales, tom. i. fol. 9.

His most important duties may be briefly enumerated. He was authorized to pronounce on the validity of all royal letters and ordinances. He possessed, as has been said, concurrent jurisdiction with the cortes over all suits against the crown and its officers. Inferior judges were bound to consult him in all doubtful cases, and to abide by his opinion, as of "equal authority," in the words of an ancient jurist, "with the law itself."[55] An appeal lay to his tribunal from those of the territorial and royal judges.[56] He could even evoke a cause, while pending before them, into his own court, and secure the defendant from molestation on his giving surety for his appearance. By another process, he might remove a person under arrest from the place in which he had been confined by order of an inferior court, to the public prison appropriated to this purpose, there to abide his own examination of the legality of his detention. These two provisions, by which the precipitate and perhaps intemperate proceedings of subordinate judicatures were subjected to the revision of a dignified and dispassionate tribunal, might seem to afford sufficient security for personal liberty and property.[57]

[55] Molinus, apud Blancas, Commentarii, pp. 343, 344.—Fueros y Observancias, tom. i. fol. 21, 25.

[56] Blancas, Commentarii, p. 536.—The principal of these jurisdictions was the royal audience, in which the king himself presided in person. Ibid., p. 355.

[57] Fueros y Observancias, tom. i. fol. 23, 60 et seq., 155, lib. 3, tit. De Manifestationibus Personarum.—Also fol. 137 et seq., tit. 7, De Firmis Juris.—Blancas, Commentarii, pp. 350, 351.—Zurita, Anales, lib. 10, cap. 37.—The first of these processes was styled *firma de derecho,* the last, *manifestacion.* The Spanish writers are warm in

In addition to these official functions, the Justice of Aragon was constituted a permanent counsellor of the sovereign, and, as such, was required to accompany him wherever he might reside. He was to advise the king on all constitutional questions of a doubtful complexion; and finally, on a new accession to the throne, it was his province to administer the coronation oath; this he performed with his head covered, and sitting, while the monarch, kneeling before him bareheaded, solemnly promised to maintain the liberties of the kingdom, —a ceremony eminently symbolical of that superiority of law over prerogative which was so constantly asserted in Aragon.[58]

It was the avowed purpose of the institution of the Justicia to interpose such an authority between the crown and the people as might suffice for the

their encomiums of these two provisions. "Quibus duobus præsidiis," says Blancas, "ita nostræ reipublicæ status continetur, ut nulla pars communium fortunarum tutelâ vacua relinquatur." Both this author and Zurita have amplified the details respecting them, which the reader may find extracted and in part translated by Mr. Hallam, Middle Ages, vol. ii. pp. 75–77, notes. When complex litigation became more frequent, the Justice was allowed one, afterwards two, and at a still later period, in 1528, five lieutenants, as they were called, who aided him in the discharge of his onerous duties. Martel, Forma de celebrar Cortes, Notas de Uztarroz, pp. 92–96.—Blancas, Commentarii, pp. 361–366.

[58] Blancas, Commentarii, pp. 343, 346, 347.—Idem, Coronaciones, pp. 200, 202.—Antonio Perez, Relaciones, fol. 92.—Sempere cites the opinion of an ancient canonist, Canellas, bishop of Huesca, as conclusive against the existence of the vast powers imputed by later commentators to the Justicia. (Histoire des Cortès, chap. 19.) The vague, rhapsodical tone of the extract shows it to be altogether undeserving of the emphasis laid on it; not to add that it was written more than a century before the period when the Justicia possessed the influence or the legal authority claimed for him by Aragonese writers,—by Blancas in particular, from whom Sempere borrowed the passage at second hand.

entire protection of the latter. This is the express import of one of the laws of Soprarbe, which, whatever be thought of their authenticity, are undeniably of very high antiquity.[59] This part of his duties is particularly insisted on by the most eminent juridical writers of the nation. Whatever estimate, therefore, may be formed of the real extent of his powers, as compared with those of similar functionaries in other states of Europe, there can be no doubt that this ostensible object of their creation, thus openly asserted, must have had a great tendency to enforce their practical operation. Accordingly we find repeated examples, in the history of Aragon, of successful interposition on the part of the Justice for the protection of individuals persecuted by the crown, and in defiance of every attempt at intimidation.[60] The kings of Aragon, chafed by this opposition, procured the resignation or deposition, on more than one occasion, of the obnoxious magistrate.[61] But, as such

[59] The law alluded to runs thus: "Ne quid autem damni detrimentive leges aut libertates nostræ patiantur, judex, quidam medius adesto, ad quem a Rege provocare, si aliquem læserit, injuriasque arcere si quas forsan Reipub. intulerit, jus fasque esto." Blancas, Commentarii, p. 26.

[60] Such instances may be found in Zurita, Anales, tom. ii. fol. 385, 414.—Blancas, Commentarii, pp. 199, 202–206, 214, 225.—When Ximenes Cerdan, the independent Justice of John I., removed certain citizens from the prison in which they had been unlawfully confined by the king, in defiance equally of that officer's importunities and menaces, the inhabitants of Saragossa, says Abarca, came out in a body to receive him on his return to the city, and greeted him as the defender of their ancient and natural liberties. (Reyes de Aragon, tom. i. fol. 155.) So openly did the Aragonese support their magistrate in the boldest exercise of his authority.

[61] This occurred once under Peter III., and twice under Alfonso V. (Zurita, Anales, tom. iii. fol. 255.—Blancas, Commentarii, pp. 174, 489, 499.) The Justice was appointed by the king.

an exercise of prerogative must have been altogether subversive of an independent discharge of the duties of this office, it was provided by a statute of Alfonso the Fifth, in 1442, that the Justice should continue in office during life, removable only, on sufficient cause, by the king and the cortes united.[62]

Several provisions were enacted in order to secure the nation more effectually against the abuse of the high trust reposed in this officer. He was to be taken from the equestrian order, which, as intermediate between the high nobility and the people, was less likely to be influenced by undue partiality to either. He could not be selected from the ricos hombres, since this class was exempted from corporal punishment, while the Justice was made responsible to the cortes for the faithful discharge of his duties, under penalty of death.[63] As this supervision of the whole legislature was found unwieldy in practice, it was superseded, after various modifications, by a commission of members elected from each one of the four estates, empowered to sit every year in Saragossa, with authority to investigate the charges preferred against the Justice, and to pronounce sentence upon him.[64]

[62] Fueros y Observancias, tom. i. fol. 22.

[63] Ibid., fol. 25.

[64] Ibid., tom. i. lib. 3, tit. Forum Inquisitionis Officii Just. Arag., and tom. ii. fol. 37–41.—Blancas, Commentarii, pp. 391–399.—The examination was conducted in the first instance before a court of four inquisitors, as they were termed, who, after a patient hearing of both sides, reported the result of their examination to a council of seventeen, chosen like them from the cortes, from whose decision there was no appeal. No lawyer was admitted into this council, lest

The Aragonese writers are prodigal of their encomiums on the pre-eminence and dignity of this functionary, whose office might seem, indeed, but a doubtful expedient for balancing the authority of the sovereign, depending for its success less on any legal powers confided to it than on the efficient and steady support of public opinion. Fortunately, the Justice of Aragon received such support, and was thus enabled to carry the original design of the institution into effect, to check the usurpations of the crown, as well as to control the license of the nobility and the people. A series of learned and independent magistrates, by the weight of their own character, gave additional dignity to the office. The people, familiarized with the benignant operation of the law, referred to peaceful arbitration those great political questions which in other countries, at this period, must have been settled by a sanguinary revolution.[65] While, in the rest of Europe, the law seemed only the web to ensnare the weak, the Aragonese historians

the law might be distorted by verbal quibbles, says Blancas. The council, however, was allowed the advice of two of the profession. They voted by ballot, and the majority decided. Such, after various modifications, were the regulations ultimately adopted in 1461, or rather 1467. Robertson appears to have confounded the council of seventeen with the court of inquisition. See his History of Charles V., vol. i. note 31.

[65] Probably no nation of the period would have displayed a temperance similar to that exhibited by the Aragonese at the beginning of the fifteenth century, in 1412; when the people, having been split into factions by a contested succession, agreed to refer the dispute to a committee of judges, elected equally from the three great provinces of the kingdom; who, after an examination conducted with all the forms of law, and on the same equitable principles as would have guided the determination of a private suit, delivered an opinion, which was received as obligatory on the whole nation.

could exult in the reflection that the fearless administration of justice in their land " protected the weak equally with the strong, the foreigner with the native." Well might their legislature assert that the value of their liberties more than counterbalanced " the poverty of the nation and the sterility of their soil." [66]

The governments of Valencia and Catalonia, which, as has been already remarked, were administered independently of each other after their consolidation into one monarchy, bore a very near resemblance to that of Aragon.[67] No institution, however, corresponding in its functions with that of the Justicia, seems to have obtained in either.[68]

[66] See Zurita, Anales, lib. 8, cap. 29,—and the admirable sentiments cited by Blancas from the parliamentary acts in 1451. (Commentarii, p. 350.) From this independent position must be excepted, indeed, the lower classes of the peasantry, who seem to have been in a more abject state in Aragon than in most other feudal countries. " Era tan absoluto su dominio [of their lords] que podian matar con hambre, sed, y frio a sus vasallos de servidumbre." (Asso y Manuel, Instituciones, p. 40,—also Blancas, Commentarii, p. 309.) These serfs extorted, in an insurrection, the recognition of certain rights from their masters, on condition of paying a specific tax, whence the name *villanos de parada.*

[67] Although the legislatures of the different states of the crown of Aragon were never united in one body when convened in the same town, yet they were so averse to all appearance of incorporation, that the monarch frequently appointed for the places of meeting three distinct towns, within their respective territories, and contiguous, in order that he might pass the more expeditiously from one to the other. See Blancas, Modo de proceder, cap. 4.

[68] It is indeed true that Peter III., at the request of the Valencians, appointed an Aragonese knight Justice of that kingdom, in 1283. (Zurita, Anales, tom. i. fol. 281.) But we find no further mention of this officer, or of the office. Nor have I met with any notice of it in the details of the Valencian constitution, compiled by Capmany from various writers. (Práctica y Estilo, pp. 161–208.) An anecdote of Ximenes Cerdan, recorded by Blancas (Commentarii, p. 214), may lead one to infer that the places in Valencia which received the laws of Aragon acknowledged the jurisdiction of its Justicia.

Valencia, which had derived a large portion of its primitive population, after the conquest, from Aragon, preserved the most intimate relations with the parent kingdom, and was constantly at its side during the tempestuous season of the Union. The Catalans were peculiarly jealous of their exclusive privileges, and their civil institutions wore a more democratical aspect than those of any other of the confederated states; circumstances which led to important results that fall within the compass of our narrative.[69]

The city of Barcelona, which originally gave its name to the county of which it was the capital, was distinguished from a very early period by ample municipal privileges.[70] After the union with Aragon in the twelfth century, the monarchs of the latter kingdom extended towards it the same liberal legislation; so, that, by the thirteenth, Barcelona had reached a degree of commercial prosperity rivalling that of any of the Italian republics. She divided with them the lucrative commerce with Alexandria; and her port, thronged with foreigners from every nation, became a prin-

[69] Capmany, Práctica y Estilo, pp. 62–214.—Capmany has collected copious materials, from a variety of authors, for the parliamentary history of Catalonia and Valencia, forming a striking contrast to the scantiness of information he was able to glean respecting Castile. The indifference of the Spanish writers, till very recently, to the constitutional antiquities of the latter kingdom, so much more important than the other states of the Peninsula, is altogether inexplicable.

[70] Corbera, Cataluña illustrada (Nápoles, 1678), lib. 1, c. 17.—Petrus de Marca cites a charter of Raymond Berenger, count of Barcelona, to the city, as ancient as 1025, confirming its former privileges. See Marca Hispanica, sive Limes Hispanicus (Parisiis, 1688), Apend. no. 198.

cipal emporium in the Mediterranean for the spices, drugs, perfumes, and other rich commodities of the East, whence they were diffused over the interior of Spain and the European continent.[71] Her consuls, and her commercial factories, were established in every considerable port in the Mediterranean and in the north of Europe.[72] The natural products of her soil, and her various domestic fabrics, supplied her with abundant articles of export. Fine wool was imported by her in considerable quantities from England in the fourteenth and fifteenth centuries, and returned there manufactured into cloth; an exchange of commodities the reverse of that existing between the two nations at the present day.[73] Barcelona claims the merit of having established the first bank of exchange and deposit in Europe, in 1401; it was

[71] Navarrete, Discurso histórico, apud Mem. de la Acad. de Hist., tom. v. pp. 81, 82, 112, 113.—Capmany, Mem. de Barcelona, tom. i. part. 1, pp. 4, 8, 10, 11.

[72] Mem. de Barcelona, part. 1, cap. 2, 3.—Capmany has given a register of the consuls, and of the numerous stations at which they were established throughout Africa and Europe, in the fourteenth and fifteenth centuries (tom. ii. Apend. no. 23). These officers, during the Middle Ages, discharged much more important duties than at the present day, if we except those few residing with the Barbary powers. They settled the disputes arising between their countrymen in the ports where they were established; they protected the trade of their own nation with these ports; and were employed in adjusting commercial relations, treaties, etc. In short, they filled in some sort the post of a modern ambassador, or resident minister, at a period when this functionary was only employed on extraordinary occasions.

[73] Macpherson, Annals of Commerce (London, 1825), vol. i. p. 655. —The woollen manufacture constituted the principal staple of Barcelona (Capmany, Mem. de Barcelona, tom. i. p. 241). The English sovereigns encouraged the Catalan traders by considerable immunities to frequent their ports during the fourteenth century. Macpherson, ubi supra, pp. 502, 551, 588.

devoted to the accommodation of foreigners as well as of her own citizens. She claims the glory, too, of having compiled the most ancient written code, among the moderns, of maritime law now extant, digested from the usages of commercial nations, and which formed the basis of the mercantile jurisprudence of Europe during the Middle Ages.[74]

The wealth which flowed in upon Barcelona, as the result of her activity and enterprise, was evinced by her numerous public works, her docks, arsenal, warehouses, exchange, hospitals, and other constructions of general utility. Strangers, who visited Spain in the fourteenth and fifteenth centuries, expatiate on the magnificence of this city, its commodious private edifices, the cleanliness of its streets and public squares (a virtue by no means usual in that day), and on the amenity of its gardens and cultivated environs.[75]

But the peculiar glory of Barcelona was the freedom of her municipal institutions. Her government consisted of a senate or council of one

[74] Heeren, Essai sur l'Influence des Croisades, traduit par Villers (Paris, 1808), p. 376.—Capmany, Mem. de Barcelona, tom. i. p. 213, also pp. 170–180.—Capmany fixes the date of the publication of the *Consulado del Mar* at the middle of the thirteenth century, under James I. He discusses and refutes the claims of the Pisans to precedence in this codification. See his Preliminary Discourse to the Costumbres marítimas de Barcelona.

[75] Navagiero, Viaggio, fol. 3.—L. Marineo styles it "the most beautiful city he had ever seen, or, to speak more correctly, in the whole world." (Cosas memorables, fol. 18.) Alfonso V., in one of his ordinances, in 1438, calls it "urbs venerabilis in egregiis templis, tuta ut in optimis, pulchra in cæteris ædificiis," etc. Capmany, Mem. de Barcelona, tom. ii. Apend. no. 13.

hundred, and a body of *regidors* or counsellors, as they were styled, varying at times from four to six in number; the former intrusted with the legislative, the latter with the executive functions of administration. A large proportion of these bodies were selected from the merchants, tradesmen, and mechanics of the city. They were invested not merely with municipal authority, but with many of the rights of sovereignty. They entered into commercial treaties with foreign powers; superintended the defence of the city in time of war; provided for the security of trade; granted letters of reprisal against any nation who might violate it; and raised and appropriated the public moneys for the construction of useful works, or the encouragement of such commercial adventures as were too hazardous or expensive for individual enterprise.[76]

The councillors, who presided over the municipality, were complimented with certain honorary privileges, not even accorded to the nobility. They were addressed by the title of *magnificos;* were seated, with their heads covered, in the presence of royalty; were preceded by mace-bearers, or lictors, in their progress through the country; and deputies from their body to the court were admitted on the footing and received the honors of foreign ambassadors.[77] These, it will be recollected, were plebeians,—merchants and mechanics. Trade never

[76] Capmany, Mem. de Barcelona, Apend. no. 24.—The senate or great council, though styled the "one hundred," seems to have fluctuated at different times between that number and double its amount.

[77] Corbera, Cataluña illustrada, p. 84.—Capmany, Mem. de Barcelona, tom. ii. Apend. no. 29.

was esteemed a degradation in Catalonia, as it came to be in Castile.[78] The professors of the different arts, as they were called, organized into guilds or companies, constituted so many independent associations, whose members were eligible to the highest municipal offices. And such was the importance attached to these offices that the nobility, in many instances, resigning the privileges of their rank,—a necessary preliminary,—were desirous of being enrolled among the candidates for them.[79] One cannot but observe in the peculiar organization of this little commonwealth, and in the equality assumed by every class of its citizens, a close analogy of its constitutions of the Italian republics, which the Catalans, having become familiar with in their intimate commercial intercourse with Italy, may have adopted as the model of their own.

Under the influence of these democratic institutions, the burghers of Barcelona, and indeed of Catalonia in general, which enjoyed more or less of a similar freedom, assumed a haughty independence of character beyond what existed among the same class in other parts of Spain; and this, combined with the martial daring fostered by a life of maritime adventure and warfare, made them

[78] Capmany, Mem. de Barcelona, tom. i. part. 3, p. 40,—tom. iii. part. 2, pp. 317, 318.

[79] Ibid., tom. i. part. 2, p. 187,—tom. ii. Apend. 30.—Capmany says *principal nobleza;* yet it may be presumed that much the larger proportion of these noble candidates for office was drawn from the inferior class of the privileged orders, the knights and hidalgos. The great barons of Catalonia, fortified with extensive immunities and wealth, lived on their estates in the country, probably little relishing the levelling spirit of the burghers of Barcelona.

impatient not merely of oppression, but of contradiction, on the part of their sovereigns, who have experienced more frequent and more sturdy resistance from this quarter of their dominions than from every other.[80] Navagiero, the Venetian ambassador to Spain, early in the sixteenth century, although a republican himself, was so struck with what he deemed the insubordination of the Barcelonians, that he asserts, "The inhabitants have so many privileges that the king scarcely retains any authority over them: their liberty," he adds, "should rather go by the name of license."[81] One example, among many, may be given of the tenacity with which they adhered to their most inconsiderable immunities.

Ferdinand the First, in 1416, being desirous, in consequence of the exhausted state of the finances on his coming to the throne, to evade the payment of a certain tax or subsidy customarily paid by the kings of Aragon to the city of Barcelona, sent for the president of the council, John Fiveller, to require the consent of that body to this measure. The magistrate, having previously advised with his colleagues, determined to encounter any hazard, says Zurita, rather than compromise the rights

[80] Barcelona revolted and was twice besieged by the royal arms under John II., once under Philip IV., twice under Charles II., and twice under Philip V. This last siege, 1713–14, in which it held out against the combined forces of France and Spain under Marshal Berwick, is one of the most memorable events in the eighteenth century. An interesting account of the siege may be found in Coxe's Memoirs of the Kings of Spain of the House of Bourbon (London, 1815), vol. ii. chap. 21.—The late monarch, Ferdinand VII., also had occasion to feel that the independent spirit of the Catalans did not become extinct with their ancient constitution.

[81] Viaggio, fol. 3.

of the city. He reminded the king of his coronation oath, expressed his regret that he was willing so soon to deviate from the good usages of his predecessors, and plainly told him that he and his comrades would never betray the liberties intrusted to them. Ferdinand, indignant at this language, ordered the patriot to withdraw into another apartment, where he remained in much uncertainty as to the consequences of his temerity. But the king was dissuaded from violent measures, if he ever contemplated them, by the representation of his courtiers, who warned him not to reckon too much on the patience of the people, who bore small affection to his person, from *the little familiarity with which he had treated them* in comparison with their preceding monarchs, and who were already in arms to protect their magistrate. In consequence of these suggestions, Ferdinand deemed it prudent to release the counsellor, and withdrew abruptly from the city on the ensuing day, disgusted at the ill success of his enterprise.[82]

The Aragonese monarchs well understood the value of their Catalan dominions, which sustained a proportion of the public burdens equal in amount to that of both the other states of the kingdom.[83]

[82] Abarca, Reyes de Aragon, tom. ii. fol. 183.—Zurita, Anales, tom. iii. lib. 12, cap. 59.—The king turned his back on the magistrates, who came to pay their respects to him on learning his intention of quitting the city. He seems, however, to have had the magnanimity to forgive, perhaps to admire, the independent conduct of Fiveller; for at his death, which occurred very soon after, we find this citizen mentioned as one of his executors. See Capmany, Mem. de Barcelona, tom. ii. Apend. 29.

[83] The taxes were assessed in the ratio of one-sixth on Valencia, two-sixth on Aragon, and three-sixths on Catalonia. See Martel, Forma de celebrar Cortes, cap. 71.

Notwithstanding the mortifications which they occasionally experienced from this quarter, therefore, they uniformly extended towards it the most liberal protection. A register of the various customs paid in the ports of Catalonia, compiled in 1413, under the above-mentioned Ferdinand, exhibits a discriminating legislation, extraordinary in an age when the true principles of financial policy were so little understood.[84] Under James the First, in 1227, a navigation act, limited in its application, was published, and another under Alfonso the Fifth, in 1454, embracing all the dominions of Aragon; thus preceding by some centuries the celebrated ordinance to which England owes so much of her commercial grandeur.[85]

The brisk concussion given to the minds of the Catalans in the busy career in which they were engaged seems to have been favorable to the development of poetical talent, in the same manner as it was in Italy. Catalonia may divide with Provence the glory of being the region where the voice of song was first awakened in modern Europe. Whatever may be the relative claims of the two countries to precedence in this respect,[86] it is

[84] See the items specified by Capmany, Mem. de Barcelona, tom. i. pp. 231, 232.

[85] Idem, tom. i. pp. 221, 234.—Capmany states that the statute of Alfonso V. prohibited "all foreign ships from taking cargoes in the ports of his dominions." (See also Colec. Dipl., tom. ii. no. 187.) The object of this law, like that of the British Navigation Act, was the encouragement of the national marine. It deviated far, however, from the sagacious policy of the latter, which imposed no restriction on the exportation of domestic product to foreign countries, except, indeed, its own colonies.

[86] Andres, Dell' Origine, de' Progressi, e dello Stato attuale d'ogni Letteratura (Venezia, 1783), part. i. cap. 11.—Lampillas, Saggio

certain that under the family of Barcelona the Provençal of the south of France reached its highest perfection; and, when the tempest of persecution in the beginning of the thirteenth century fell on the lovely valleys of that unhappy country, its minstrels found a hospitable asylum in the court of the kings of Aragon, many of whom not only protected, but cultivated the *gay science* with considerable success.[87] Their names have descended to us, as well as those of less illustrious troubadours, whom Petrarch and his contemporaries did not disdain to imitate;[88] but their compositions, for the most part, lie still buried in those cemeteries of the intellect so numerous in Spain, and call loudly for the dili-

storico-apologetico della Letteratura Spagnuola (Genova, 1778), part. i. dis. 6, sec. 7.—Andres conjectures, and Lampillas decides, in favor of Catalonia. *Arcades ambo;* and the latter critic the worst possible authority on all questions of national preference.

[87] Velazquez, Orígenes de la Poesía Castellana (Málaga, 1797), pp. 20–22.—Andres, Letteratura, part. i. cap. 11.—Alfonso II., Peter II., Peter III., James I., Peter IV., have all left compositions in the Limousin tongue behind them; the three former in verse, the two latter in prose, setting forth the history of their own time. For a particular account of their respective productions, see Latassa (Escritores Aragoneses, tom. i. pp. 175–179, 185–189, 222, 224, 242–248,—tom. ii. p. 28), also Lanuza (Historias eclesiásticas y seculares de Aragon (Zaragoza, 1622), tom. i. p. 553). The Chronicle of James I. is particularly esteemed for its fidelity.

[88] Whether Jordi stole from Petrarch, or Petrarch from Jordi, has been matter of hot debate between the Spanish and French *littérateurs*. Sanchez, after a careful examination of the evidence, candidly decides against his countryman. (Poesías Castellanas, tom. i. pp. 81–84.) A competent critic in the Retrospective Review (No. 7, art. 2), who enjoyed the advantage over Sanchez of perusing a MS. copy of Jordi's original poem, makes out a very plausible argument in favor of the originality of the Valencian poet. After all, as the amount stolen, or to speak more reverently, borrowed, does not exceed half a dozen lines, it is not of vital importance to the reputation of either poet.

gence of some Sainte-Palaye or Raynouard to disinter them.[89]

The languishing condition of the poetic art, at the close of the fourteenth century, induced John the First, who mingled somewhat of the ridiculous even with his most respectable tastes, to dispute a solemn embassy to the king of France, requesting that a commission might be detached from the Floral Academy of Toulouse, into Spain, to erect there a similar institution. This was accordingly done, and the Consistory of Barcelona was organized in 1390. The kings of Aragon endowed it with funds, and with a library valuable for that day, presiding over its meetings in person, and distributing the poetical premiums with their own hands. During the troubles consequent on the death of Martin, this establishment fell into decay, until it was again revived, on the accession of Ferdinand the First, by the celebrated Henry, marquis of Villena, who transplanted it to Tortosa.[90]

The marquis, in his treatise on the *gaya sciencia,* details with becoming gravity the pompous ceremonial observed in his academy on the event of a public celebration. The topics of discussion were "the praises of the Virgin, love, arms, and other good usages." The performances of the candidates, "inscribed on parchment of various colors,

[89] The Abate Andres lamented, fifty years ago, that the worms and moths should be allowed to revel among the precious relics of ancient Castilian literature. (Letteratura, tom. ii. p. 306.) Have their revels been disturbed yet?

[90] Mayans y Siscar, Orígenes de la Lengua Española (Madrid, 1737), tom. ii. pp. 323, 324.—Crescimbeni, Istoria della volgar Poesia (Venezia, 1731), tom. ii. p. 170.—Mariana, Hist. de España, tom. i. p. 183.—Velazquez, Poesía Castellana, pp. 23, 24.

richly enamelled with gold and silver, and beautifully illuminated," were publicly recited, and then referred to a committee, who made solemn oath to decide impartially and according to the rules of the art. On the delivery of the verdict, a wreath of gold was deposited on the victorious poem, which was registered in the academic archives; and the fortunate troubadour, greeted with a magnificent prize, was escorted to the royal palace amid a *cortége* of minstrelsy and chivalry; " thus manifesting to the world," says the marquis, " the superiority which God and nature have assigned to genius over dulness." [91]

The influence of such an institution in awakening a poetic spirit is at best very questionable. Whatever effect an academy may have in stimulating the researches of science, the inspirations of genius must come unbidden;

> " Adflata est numine quando
> Jam propiore dei."

The Catalans, indeed, seem to have been of this opinion; for they suffered the Consistory of Tortosa to expire with its founder. Somewhat later, in 1430, was established the University of Barcelona, placed under the direction of the municipality, and endowed by the city with ample funds for instruction in the various departments of law, theology, medicine, and the belles-lettres. This institution survived until the commencement of the last century.[92]

[91] Mayans y Siscar, Orígenes, tom. ii. pp. 325–327.

[92] Andres, Letteratura, tom. iv. pp. 85, 86.—Capmany, Mem. de Barcelona, tom. ii. Apend. no. 16.—There were thirty-two chairs, or

During the first half of the fifteenth century, long after the genuine race of the troubadours had passed away, the Provençal or Limousin verse was carried to its highest excellence by the poets of Valencia.[93] It would be presumptuous for any one, who has not made the *romance* dialects his particular study, to attempt a discriminating criticism of these compositions, so much of the merit of which necessarily consists in the almost impalpable beauties of style and expression. The Spaniards, however, applaud, in the verses of Ausias March, the same musical combinations of sound, and the same tone of moral melancholy, which pervade the productions of Petrarch.[94] In prose, too, they have (to borrow the words of Andres) their Boccaccio in Martorell, whose fiction of "Tirante el Blanco" is honored by the commendation of the curate in Don Quixote, as "the best book in the world of the kind, since the knights-errant in it eat, drink, sleep, and die quietly in their beds, like other folk, and very unlike most heroes of romance." The productions of these, and some other of their distinguished contemporaries, obtained a general circulation very early by means of the recently invented art of printing, and subse-

professorships, founded and maintained at the expense of the city: six of theology; six of jurisprudence; five of medicine; six of philosophy; four of grammar; one of rhetoric; one of surgery; one of anatomy; one of Hebrew, and another of Greek. It is singular that none should have existed for the Latin, so much more currently studied at that time, and of so much more practical application always than either of the other ancient languages.

[93] The Valencian, "the sweetest and most graceful of the Limousin dialects," says Mayans y Siscar, Orígenes, tom. i. p. 58.

[94] Nicolas Antonio, Bibliotheca Hispana Vetus (Matriti, 1788), tom. ii. p. 146.—Andres, Letteratura, tom. iv. p. 87.

quently passed into repeated editions.[95] But their language has long since ceased to be the language of literature. On the union of the two crowns of Castile and Aragon, the dialect of the former became that of the court and of the Muses. The beautiful Provençal, once more rich and melodious than any other idiom in the Peninsula, was abandoned as a *patois* to the lower orders of the Catalans, who, with the language, may boast that they also have inherited the noble principles of freedom which distinguished their ancestors.

The influence of free instituitons in Aragon is perceptible in the familiarity displayed by its writers with public affairs, and in the freedom with which they have discussed the organization and general economy of its government. The creation of the office of national chronicler, under Charles V., gave wider scope to the development of historic talent. Among the most conspicuous of these historiographers was Jerome Blancas, several of whose productions, as the "Coronaciones de los Reyes," "Modo de proceder en Cortes," and "Commentarii Rerum Aragonensium," especially the last, have been repeatedly quoted in the preceding section. This work presents a view of the different orders of the state, and particularly of the office of the Justicia, with their peculiar functions and privileges. The author, omitting the usual details of history, has devoted himself to the illustration of the constitutional antiquities of his country, in the execution of which he has shown a sagacity and erudition equally profound. His sentiments breathe a generous love of freedom, which one would scarcely suppose to have existed, and still less to have been promulgated under Philip II. His style is distinguished

[95] Cervantes, Don Quixote (ed. de Pellicer, Madrid, 1787), tom. i. p. 62.—Mendez, Typographia Española (Madrid, 1796), pp. 72–75.—Andres, Letteratura, ubi supra.—Pellicer seems to take Martorell's word in good earnest, that his book is only a version from the Castilian. The *names* of some of the most noted troubadours are collected by Velazquez, Poesía Castellana (pp. 20–24.—Capmany, Mem. de Barcelona, tom. ii. Apend. no. 5). Some extracts and pertinent criticisms on their productions may be found by the English reader in the Retrospective Review. (No. 7, art. 2.) It is to be regretted that the author has not redeemed his pledge of continuing his notices to the Castilian era of Spanish poetry.

by the purity and even elegance of its latinity. The first edition, being that which I have used, appeared in 1588, in folio, at Saragossa, executed with much typographical beauty. The work was afterwards incorporated into Schottus's "Hispania Illustrata."—Blancas, after having held his office for ten years, died in his native city of Saragossa, in 1590.

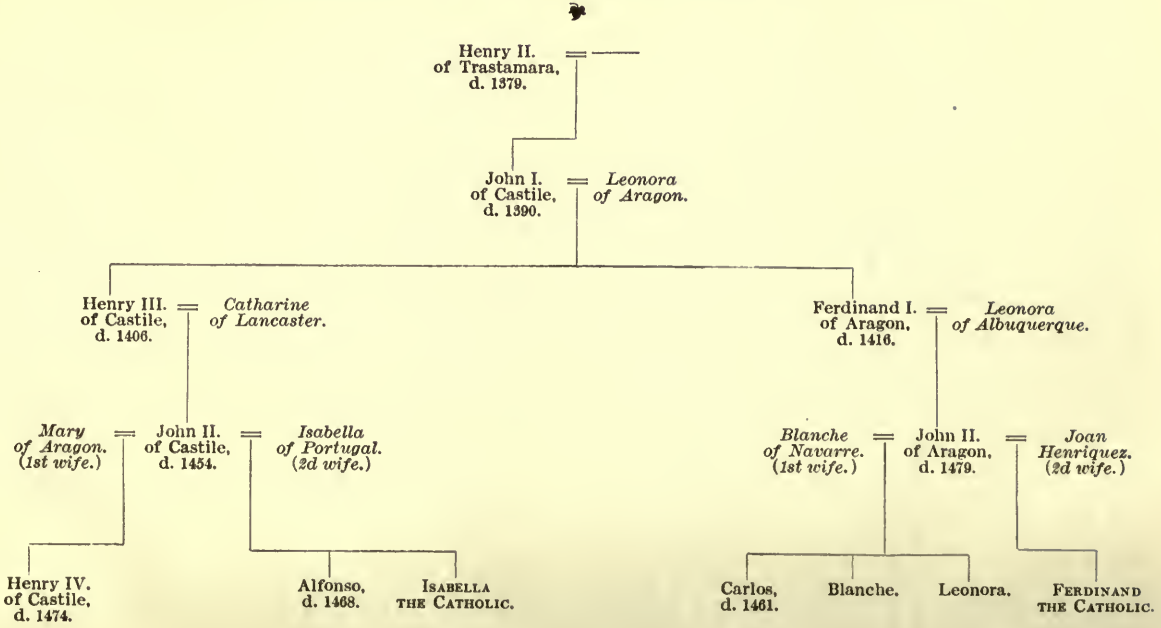
Jerome Martel, from whose little treatise, "Forma de celebrar Cortes," I have also liberally cited, was appointed public historiographer in 1597. His continuation of Zurita's Annals, which he left unpublished at his decease, was never admitted to the honors of the press, because, says his biographer, Uztarroz, *verdades lastiman;* a reason as creditable to the author as disgraceful to the government.

A third writer, and the one chiefly relied on for the account of Catalonia, is Don Antonio Capmany. His "Memorias históricas de Barcelona" (5 tom. 4to, Madrid, 1779–1792) may be thought somewhat too discursive and circumstantial for his subject; but it is hardly right to quarrel with information so rare and painfully collected; the sin of exuberance at any rate is much less frequent, and more easily corrected, than that of sterility. His work is a vast repertory of facts relating to the commerce, manufactures, general policy, and public prosperity, not only of Barcelona, but of Catalonia. It is written with an independent and liberal spirit, which may be regarded as affording the best commentary on the genius of the institutions which he celebrates.—Capmany closed his useful labors at Madrid, in 1810, at the age of fifty-six.

Notwithstanding the interesting character of the Aragonese constitution, and the amplitude of materials for its history, the subject has been hitherto neglected, as far as I am aware, by continental writers. Robertson and Hallam, more especially the latter, have given such a view of its prominent features to the English reader as must, I fear, deprive the sketch which I have attempted, in a great degree, of novelty. To these names must now be added that of the author of the "History of Spain and Portugal" * (Cabinet Cyclopædia), whose work, published since the preceding pages were written, contains much curious and learned disquisition on the early jurisprudence and municipal institutions of both Castile and Aragon.

* [S. A. Dunham.—M.]

GENEALOGY OF FERDINAND AND ISABELLA



PART I

1406–1492

THE PERIOD WHEN THE DIFFERENT KINGDOMS OF SPAIN WERE FIRST UNITED UNDER ONE MONARCHY, AND A THOROUGH REFORM WAS INTRODUCED INTO THEIR INTERNAL ADMINISTRATION; OR THE PERIOD EXHIBITING MOST FULLY THE DOMESTIC POLICY OF FERDINAND AND ISABELLA

CHAPTER I

STATE OF CASTILE AT THE BIRTH OF ISABELLA—REIGN OF JOHN II. OF CASTILE

1406–1454

Revolution of Trastamara—Accession of John II.—Rise of Alvaro de Luna—Jealousy of the Nobles—Oppression of the Commons—Its Consequences—Early Literature of Castile—Its Encouragement under John II.—Decline of Alvaro de Luna—His Fall—Death of John II.—Birth of Isabella

THE fierce civil feuds which preceded the accession of the house of Trastamara in 1368 were as fatal to the nobility of Castile as the wars of the Roses were to that of England. There was scarcely a family of note which had not poured out its blood on the field or the scaffold. The influence of the aristocracy was, of course, much diminished with its numbers. The long wars with foreign powers, which a disputed succession entailed on the country, were almost equally prejudicial to the authority of the monarch, who was willing to buoy up his tottering title by the most liberal concession of privileges to the people. Thus the commons rose in proportion as the crown and the privileged orders descended in the scale; and, when the claims of the several competitors for the throne were finally extinguished, and the tranquillity of the kingdom was secured, by the union of Henry the Third with Catharine of Lancaster at the close of the fourteenth century, the third estate may be

said to have attained to the highest degree of political consequence which it ever reached in Castile.

The healthful action of the body politic, during the long interval of peace that followed this auspicious union, enabled it to repair the strength which had been wasted in its murderous civil contests. The ancient channels of commerce were again opened; various new manufactures were introduced, and carried to a considerable perfection;[1] wealth, with its usual concomitants, elegance and comfort, flowed in apace; and the nation promised itself a long career of prosperity under a monarch who respected the laws in his own person and admisistered them with vigor. All these fair hopes were blasted by the premature death of Henry the Third, before he had reached his twenty-eighth year. The crown devolved on his son John the Second, then a minor, whose reign was one of the longest and the most disastrous in the Castilian annals.[2] As it was that, however, which gave birth to Isabella, the illustrious subject of our narrative, it will be necessary to pass its principal features under review, in order to obtain a correct idea of her government.

The wise administration of the regency, during a long minority, postponed the season of calamity; and, when it at length arrived, it was concealed for some time from the eyes of the vulgar by the pomp and brilliant festivities which distinguished the

[1] Sempere y Guarinos, Historia del Luxo, tom. i. p. 171.

[2] Crónica de Enrique III., ed. de la Academia (Madrid, 1780), passim.—Crónica de Juan II. (Valencia, 1779), p. 6.

court of the young monarch. His indisposition, if not incapacity, for business, however, gradually became manifest; and, while he resigned himself without reserve to pleasures, which it must be confessed were not unfrequently of a refined and intellectual character, he abandoned the government of his kingdom to the control of favorites.

The most conspicuous of these was Alvaro de Luna, grand master of St. James, and constable of Castile. This remarkable person, the illegitimate descendant of a noble house in Aragon, was introduced very early as a page into the royal household, where he soon distinguished himself by his amiable manners and personal accomplishments. He could ride, fence, dance, sing, if we may credit his loyal biographer, better than any other cavalier in the court; while his proficiency in music and poetry recommended him most effectually to the favor of the monarch, who professed to be a connoisseur in both. With these showy qualities, Alvaro de Luna united others of a more dangerous complexion. His insinuating address easily conciliated confidence, and enabled him to master the motives of others, while his own were masked by consummate dissimulation. He was as fearless in executing his ambitious schemes as he was cautious in devising them. He was indefatigable in his application to business, so that John, whose aversion to it we have noticed, willingly reposed on him the whole burden of government. The king, it was said, only signed, while the constable dictated and executed. He was the only channel of promotion to public office, whether

secular or ecclesiastical. As his cupidity was insatiable, he perverted the great trust confided to him to the acquisition of the principal posts in the government for himself or his kindred, and at his death is said to have left a larger amount of treasure than was possessed by the whole nobility of the kingdom. He affected a magnificence of state corresponding with his elevated rank. The most considerable grandees in Castile contended for the honor of having their sons, after the fashion of the time, educated in his family. When he rode abroad, he was accompanied by a numerous retinue of knights and nobles, which left his sovereign's court comparatively deserted; so that royalty might be said on all occasions, whether of business or pleasure, to be eclipsed by the superior splendors of its satellite.[3] The history of this man may remind the English reader of that of Cardinal Wolsey, whom he somewhat resembled in character, and still more in his extraordinary fortunes.

It may easily be believed that the haughty aristocracy of Castile would ill brook this exaltation of an individual so inferior to them in birth, and who withal did not wear his honors with exemplary meekness. John's blind partiality for his favorite is the key to all the troubles which agitated the kingdom during the last thirty years of his reign. The disgusted nobles organized confederacies for

[3] Crónica de Alvaro de Luna, ed. de la Academia (Madrid, 1784), tit. 3, 5, 68, 74.—Guzman, Generaciones y Semblanzas (Madrid, 1775), cap. 33, 34.—Abarca, Reyes de Aragon, en Anales históricos, tom. i. fol. 227.—Crónica de Juan II., passim.—He possessed sixty towns and fortresses, and kept three thousand lances constantly in pay. Oviedo, Quincuagenas, MS.

the purpose of deposing the minister. The whole nation took sides in this unhappy struggle. The heats of civil discord were still further heightened by the interference of the royal house of Aragon, which, descended from a common stock with that of Castile, was proprietor of large estates in the latter country. The wretched monarch beheld even his own son Henry, the heir to the crown, enlisted in the opposite faction, and saw himself reduced to the extremity of shedding the blood of his subjects in the fatal battle of Olmedo. Still the address, or the good fortune, of the constable enabled him to triumph over his enemies; and, although he was obliged occasionally to yield to the violence of the storm and withdraw a while from the court, he was soon recalled and reinstated in all his former dignities. This melancholy infatuation of the king is imputed by the writers of that age to sorcery on the part of the favorite.[4] But the only witchcraft which he used was the ascendency of a strong mind over a weak one.

During this long-protracted anarchy, the people lost whatever they had gained in the two preceding reigns. By the advice of his minister, who seems to have possessed a full measure of the insolence so usual with persons suddenly advanced from low to elevated station, the king not only abandoned the

[4] Guzman, Generaciones, cap. 33.—Crónica de Don Juan II., p. 491, et alibi.—His complaisance for the favorite, indeed, must be admitted, if we believe Guzman, to have been of a most extraordinary kind: "E lo que con mayor maravilla se puede decir é oír, que aun en los autos naturales se dió así á la ordenanza del condestable, que seyendo él mozo bien complexionado, é teniendo á la reyna su muger moza y hermosa, si el condestable se lo contradixiese, no iria á dormir á su cama della." Ubi supra.

constitutional policy of his predecessors in regard to the commons, but entered on the most arbitrary and systematic violation of their rights. Their deputies were excluded from the privy council, or lost all influence in it. Attempts were made to impose taxes without the legislative sanction. The municipal territories were alienated, and lavished on the royal minions. The freedom of elections was invaded, and delegates to cortes were frequently nominated by the crown; and, to complete the iniquitous scheme of oppression, *pragmáticas,* or royal proclamations, were issued, containing provisions repugnant to the acknowledged law of the land, and affirming in the most unqualified terms the right of the sovereign to legislate for his subjects.[5] The commons, indeed, when assembled in cortes, stoutly resisted the assumption of such unconstitutional powers by the crown, and compelled the prince not only to revoke his pretensions, but to accompany his revocation with the most humiliating concessions.[6] They even ventured so far, during this reign, as to regulate the expenses of the royal household;[7] and their language to the

[5] Marina, Teoría, tom. i. cap. 20,—tom. ii. pp. 216, 390, 391,—tom. iii. part. 2, no. 4.—Capmany, Práctica y Estilo, pp. 234, 235.—Sempere, Histoire des Cortès, ch. 18, 24.

[6] Several of this prince's laws for redressing the alleged grievances are incorporated in the great code of Philip II. (Recopilacion de las Leyes (Madrid, 1640), lib. 6, tit. 7, leyes 5, 7, 2), which declares, in the most unequivocal language, the right of the commons to be consulted on all important matters: "Porque en los hechos arduos de nuestros reynos es necessario consejo de nuestros subditos, y naturales, *especialmente de los procuradores de las nuestras ciudades, villas, y lugares de los nuestros reynos.*" It was much easier to extort good laws from this monarch than to enforce them.

[7] Mariana, Historia de España, tom. ii. p. 299.

throne on all these occasions, though temperate and loyal, breathed a generous spirit of patriotism, evincing a perfect consciousness of their own rights, and a steady determination to maintain them.[8]

Alas! what could such resolution avail, in this season of misrule, against the intrigues of a cunning and profligate minister, unsupported, too, as the commons were, by any sympathy or co-operation on the part of the higher orders of the state! A scheme was devised for bringing the popular branch of the legislature more effectually within the control of the crown, by diminishing the number of its constituents. It has been already remarked, in the Introduction, that a great irregularity prevailed in Castile as to the number of cities which, at different times, exercised the right of representation. During the fourteenth century, the deputation from this order had been uncommonly full. The king, however, availing himself of this indeterminateness, caused writs to be issued to a very small proportion of the towns which had usually enjoyed the privilege. Some of those that were excluded, indignantly, though ineffectually, remonstrated against this abuse. Others, previously despoiled of their possessions by the rapacity of the crown, or impoverished by the disastrous feuds into which the country had been thrown, acquiesced in the measure from motives of economy. From the same mistaken policy, several cities, again, as Burgos, Toledo, and others, petitioned the sovereign to defray the charges of their

[8] Marina, Teoría, ubi supra.

representatives from the royal treasury; a most ill-advised parsimony, which suggested to the crown a plausible pretext for the new system of exclusion. In this manner the Castilian cortes, which, notwithstanding its occasional fluctuations, had exhibited during the preceding century what might be regarded as a representation of the whole commonwealth, was gradually reduced, during the reigns of John the Second and his son Henry the Fourth, to the deputations of some seventeen or eighteen cities. And to this number, with slight variation, it has been restricted until the occurrence of the recent revolutionary movements in that kingdom.[9]

The non-represented were required to transmit their instructions to the deputies of the privileged cities. Thus Salamanca appeared in behalf of five hundred towns and fourteen hundred villages; and the populous province of Galicia was represented by the little town of Zamora, which is not even included within its geographical limits.[10] The privilege of *a voice in cortes,* as it was called, came at length to be prized so highly by the favored cities, that when, in 1506, some of those which were excluded solicited the restitution of their ancient rights, their petition was opposed by the former on the impudent pretence that " the right of deputation had been reserved by ancient law and usage to

[9] Capmany, Práctica y Estilo, p. 228.—Sempere, Hist. des Cortès, chap. 19.—Marina, Teoría, part. I, cap. 16.—In 1656, the city of Palencia was content to repurchase its ancient right of representation from the crown, at an expense of 80,000 ducats.

[10] Capmany, Práctica y Estilo, p. 230.—Sempere, Hist. des Cortès, chap. 19.

only eighteen cities of the realm." [11] In this short-sighted and most unhappy policy, we see the operation of those local jealousies and estrangements to which we have alluded in the Introduction. But although the cortes, thus reduced in numbers, necessarily lost much of its weight, it still maintained a bold front against the usurpations of the crown. It does not appear, indeed, that any attempt was made under John the Second, or his successor, to corrupt its members, or to control the freedom of debate; although such a proceeding is not improbable, as altogether conformable to their ordinary policy, and as the natural result of their preliminary measures. But, however true the deputies continued to themselves and to those who sent them, it is evident that so limited and partial a selection no longer afforded a representation of the interests of the whole country. Their necessarily imperfect acquaintance with the principles or even wishes of their widely scattered constituents, in an age when knowledge was not circulated on the thousand wings of the press, as in our day, must have left them oftentimes in painful uncertainty, and deprived them of the cheering support of public opinion. The voice of remonstrance, which derives such confidence from numbers, would hardly now be raised in their deserted halls with the same frequency or energy as before; and, however the representatives of that day might maintain their integrity uncorrupted, yet, as every facility was afforded to the undue influence of the crown, the time might come when venality would

[11] Marina, Teoría, tom. i. p. 161.

prove stronger than principle and the unworthy patriot be tempted to sacrifice his birthright for a mess of pottage. Thus early was the fair dawn of freedom overcast, which opened in Castile under more brilliant auspices, perhaps, than in any other country in Europe.

While the reign of John the Second is so deservedly odious in a political view, in a literary it may be inscribed with what Giovio calls "the golden pen of history." It was an epoch in the Castilian, corresponding with that of the reign of Francis the First in French literature, distinguished not so much by any production of extraordinary genius as by the effort made for the introduction of an elegant culture, by conducting it on more scientific principles than had been hitherto known. The early literature of Castile could boast of the "Poem of the Cid," in some respects the most remarkable performance of the Middle Ages. It was enriched, moreover, with other elaborate compositions, displaying occasional glimpses of a buoyant fancy, or of sensibility to external beauty, to say nothing of those delightful romantic ballads, which seemed to spring up spontaneously in every quarter of the country, like the natural wild flowers of the soil. But the unaffected beauties of sentiment, which seem rather the result of accident than design, were dearly purchased, in the more extended pieces, at the expense of such a crude mass of grotesque and undigested verse as shows an entire ignorance of the principles of the art.[12]

[12] See the ample collections of Sanchez, "Poesías Castellanas anteriores al Siglo XV." 4 tom., Madrid, 1779–1790.

The profession of letters itself was held in little repute by the higher orders of the nation, who were altogether untinctured with liberal learning. While the nobles of the sister kingdom of Aragon, assembled in their poetic courts, in imitation of their Provençal neighbors, vied with each other in lays of love and chivalry, those of Castile disdained these effeminate pleasures as unworthy of the profession of arms, the only one of any estimation in their eyes. The benignant influence of John was perceptible in softening this ferocious temper. He was himself sufficiently accomplished, for a king, and, notwithstanding his aversion to business, manifested, as has been noticed, a lively relish for intellectual enjoyment. He was fond of books, wrote and spoke Latin with facility, composed verses, and condescended occasionally to correct those of his loving subjects.[13] Whatever might be the value of his criticisms, that of his example cannot be doubted. The courtiers, with the quick scent for their own interest which distinguishes the tribe in every country, soon turned their attention to the same polite studies;[14] and thus Castilian poetry received very early the courtly stamp which continued its prominent characteristic down to the age of its meridian glory.

[13] Guzman, Generaciones, cap. 33.—Gomez de Cibdareal, Centon epistolario (Madrid, 1775), epist. 20, 49.—Cibdareal has given us a specimen of this royal criticism, which Juan de Mena, the subject of it, was courtier enough to adopt.

[14] Velazquez, Orígenes de la Poesía Castellana (Málaga, 1797), p. 45.—Sanchez, Poesías Castellanas, tom. i. p. 10.—"The Cancioneros generales, in print and in manuscript," says Sanchez, "show the great number of dukes, counts, marquises, and other nobles who cultivated this art."

Among the most notable of these noble *savans* was Henry, marquis of Villena, descended from the royal houses of Castile and Aragon,[15] but more illustrious, as one of his countrymen has observed, by his talents and attainments than by his birth. His whole life was consecrated to letters, and especially to the study of natural science. I am not aware that any specimen of his poetry, although much lauded by his contemporaries,[16] has come down to us.[17] He translated Dante's "Commedia" into prose, and is said to have given the first example of a version of the Æneid into a modern language.[18] He labored assiduously to introduce

[15] He was the grandson, not, as Sanchez supposes (tom. i. p. 15), the son, of Alonso de Villena, the first marquis as well as constable created in Castile, descended from James II. of Aragon. (See Dormer, Enmiendas y Advertencias de Zurita (Zaragoza, 1683), pp. 371–376.) His mother was an illegitimate daughter of Henry II. of Castile. Guzman, Generaciones, cap. 28.—Salazar de Mendoza, Monarquía de España (Madrid, 1770), tom. i. pp. 203, 339.

[16] Guzman, Generaciones, cap. 28.—Juan de Mena introduces Villena into his "Laberinto," in an agreeable stanza, which has something of the mannerism of Dante:

> "Aquel claro padre aquel dulce fuente
> aquel que en el castolo monte resuena
> es don Enrique Señor de Villena
> honrra de España y del siglo presente," etc.

Juan de Mena, Obras (Alcalá, 1566), fol. 138.

[17] The recent Castilian translators of Bouterwek's History of Spanish Literature have fallen into an error in imputing the beautiful *cancion* of the "Querella de Amor" to Villena. It was composed by the marquis of Santillana. (Bouterwek, Historia de la Literatura Española, traducida por Cortina y Hugalde y Mollinedo (Madrid, 1829), p. 196, and Sanchez, Poesías Castellanas, tom. i. pp. 38, 143.)—The mistake into which Nicolas Antonio had also fallen, in supposing Villena's "Trabajos de Hercules" written in verse, has been subsequently corrected by his learned commentator Bayer. See Nicolas Antonio, Bibliotheca Hispana Vetus, tom. ii. p. 222, nota.

[18] Velazquez, Orígenes de la Poesía Castellana, p. 45.—Bouterwek, Literatura Española, trad. de Cortina y Mollinedo, nota S.

a more cultivated taste among his countrymen, and his little treatise on the *gaya sciencia,* as the divine art was then called, in which he gives an historical and critical view of the poetical Consistory of Barcelona, is the first approximation, however faint, to an Art of Poetry in the Castilian tongue.[19] The exclusiveness with which he devoted himself to science, and especially astronomy, to the utter neglect of his temporal concerns, led the wits of that day to remark that " he knew much of heaven, and nothing of earth." He paid the usual penalty of such indifference to worldly weal, by seeing himself eventually stripped of his lordly possessions, and reduced, at the close of life, to extreme poverty.[20] His secluded habits brought on him the appalling imputation of necromancy. A scene took place at his death, in 1434, which is sufficiently characteristic of the age, and many possibly have suggested a similar adventure to Cervantes. The king commissioned his son's preceptor, Brother Lope de Barrientos, afterwards bishop of Cuenca, to examine the valuable library of the deceased; and the worthy ecclesiastic consigned more than a hundred volumes of it to the flames, as savoring too strongly of the black art. The Bachelor Cibdareal, the confidential physician of John the Second, in a lively letter on this occurrence to the poet John de Mena, remarks that " some would fain get the reputation of saints by making others necromancers; " and requests his friend " to allow him

[19] See an abstract of it in Mayans y Siscar, Orígenes de la Lengua Española, tom. ii. pp. 321 et seq.

[20] Zurita, Anales de la Corona de Aragon, tom. iii. p. 227.—Guzman, Generaciones, cap. 28.

to solicit, in his behalf, some of the surviving volumes from the king, that in this way the soul of Brother Lope might be saved from further sin, and the spirit of the defunct marquis consoled by the consciousness that his books no longer rested on the shelves of the man who had converted him into a conjurer." [21] John de Mena denounces this *auto da fe* of science in a similar, but graver, tone of sarcasm, in his "Laberinto." These liberal sentiments in the Spanish writers of the fifteenth century may put to shame the more bigoted criticism of the seventeenth.[22]

Another of the illustrious wits of this reign was Iñigo Lopez de Mendoza, marquis of Santillana, "the glory and delight of the Castilian nobility," whose celebrity was such that foreigners, it was said, journeyed to Spain from distant parts of Europe to see him. Although passionately devoted to letters, he did not, like his friend the marquis of Villena, neglect his public or domestic duties for them. On the contrary, he discharged the most important civil and military functions. He made his house an academy, in which the young cavaliers of the court might practise the martial exercises of the age; and he assembled around

[21] Centon epistolario, epist. 66.—The bishop endeavored to transfer the blame of the conflagration to the king. There can be little doubt, however, that the good father infused the suspicions of necromancy into his master's bosom. "The angels," he says in one of his works, "who guarded Paradise, presented a treatise on magic to one of the posterity of Adam, from a copy of which Villena derived his science." (See Juan de Mena, Obras, fol. 139, glosa.) One would think that such an orthodox source might have justified Villena in the use of it.

[22] Comp. Juan de Mena, Obras, copl. 127, 128; and Nic. Antonio, Bibliotheca Vetus, tom. ii. p. 220.

him, at the same time, men eminent for genius and science, whom he munificently recompensed, and encouraged by his example.[23] His own taste led him to poetry, of which he has left some elaborate specimens. They are chiefly of a moral and preceptive character; but, although replete with noble sentiment, and finished in a style of literary excellence far more correct than that of the preceding age, they are too much infected with mythology and metaphorical affectations to suit the palate of the present day. He possessed, however, the soul of a poet, and, when he abandons himself to his native *redondillas,* delivers his sentiments with a sweetness and grace inimitable. To him is to be ascribed the glory, such as it is, of having naturalized the Italian sonnet in Castile, which Boscan, many years later, claimed for himself with no small degree of self-congratulation.[24] His epistle on the primitive history of Spanish verse, although containing notices sufficiently curious from the age and the source whence they proceed, has perhaps done more service to letters by the valuable illustrations it has called forth from its learned editor.[25]

This great man, who found so much leisure for

[23] Pulgar, Claros Varones de Castilla, y Letras (Madrid, 1755), tit. 4.—Nic. Antonio, Bibliotheca Vetus, lib. 10, cap. 9.—Quincuagenas de Gonzalo de Oviedo, MS., batalla 1, quinc. 1, dial. 8.

[24] Garcilasso de la Vega, Obras, ed. de Herrera (1580), pp. 75, 76. —Sanchez, Poesías Castellanas, tom. i. p. 21.—Boscan, Obras (1543), fol. 19.—It must be admitted, however, that the attempt was premature, and that it required a riper stage of the language to give a permanent character to the innovation.

[25] See Sanchez, Poesías Castellanas, tom. i. pp. 1–119.—A copious catalogue of the marquis de Santillana's writings is given in the same volume (pp. 33 et seq.). Several of his poetical pieces are collected in the Cancionero general (Anvers, 1573), fol. 34 et seq.

the cultivation of letters amidst the busy strife of politics, closed his career at the age of sixty, in 1458. Though a conspicuous actor in the revolutionary scenes of the period, he maintained a character for honor and purity of motive, unimpeached even by his enemies. The king, notwithstanding his devotion to the faction of his son Henry, conferred on him the dignities of count of Real de Manzanares and marquis of Santillana; this being the oldest creation of a marquis in Castile, with the exception of Villena.[26] His eldest son was subsequently made duke of Infantado, by which title his descendants have continued to be distinguished to the present day.

But the most conspicuous, for his poetical talents, of the brilliant circle which graced the court of John the Second, was John de Mena, a native of fair Cordova, "the flower of science and of chivalry,"[27] as he fondly styles her. Although born in a middling condition of life, with humble prospects, he was early smitten with a love of letters; and, after passing through the usual course of discipline at Salamanca, he repaired to Rome, where, in the study of those immortal masters whose writings had but recently revealed the full capacities of a modern idiom, he imbibed principles of taste which gave a direction to his own

[26] Pulgar, Claros Varones, tit. 4.—Salazar de Mendoza, Monarquía, tom. i. p. 218.—Idem, Orígen de las Dignidades seglares de Castilla y Leon (Madrid, 1794), p. 285.—Oviedo makes the marquis much older, seventy-five years of age, when he died. He left, besides daughters, six sons, who all became the founders of noble and powerful houses. See the whole genealogy, in Oviedo, Quincuagenas, MS., bat. 1, quinc. 1, dial. 8.

[27] "Flor de saber y caballería." El Laberinto, copla 114.

genius, and, in some degree, to that of his countrymen. On his return to Spain, his literary merit soon attracted general admiration, and introduced him to the patronage of the great, and above all to the friendship of the marquis of Santillana.[28] He was admitted into the private circle of the monarch, who, as his gossiping physician informs us, "used to have Mena's verses lying on his table, as constantly as his prayer-book." The poet repaid the debt of gratitude by administering a due quantity of honeyed rhyme, for which the royal palate seems to have possessed a more than ordinary relish.[29] He continued faithful to his master amidst all the fluctuations of faction, and survived him less than two years. He died in 1456; and his friend the marquis of Santillana raised a sumptuous monument over his remains, in commemoration of his virtues and of their mutual affection.

John de Mena is affirmed by some of the national critics to have given a new aspect to Castilian poetry.[30] His great work was his "Laberinto," the outline of whose plan may faintly remind us of that portion of the "Divina Commedia" where Dante resigns himself to the guidance of Beatrice. In like manner the Spanish poet, under the escort of a beautiful personification of Providence, witnesses the apparition of the most eminent individuals, whether of history or fable; and, as they revolve on the wheel of destiny, they give occasion to some animated portraiture, and

[28] Nic. Antonio, Bibliotheca Vetus, tom. ii. pp. 265 et seq.
[29] Cibdareal, Centon epistolario, epist. 47, 49.
[30] See Velazquez, Poesía Castellana, p. 49.

much dull, pedantic disquisition. In these delineations we now and then meet with a touch of his pencil, which, from its simplicity and vigor, may be called truly *Dantesque.* Indeed, the Castilian Muse never before ventured on so bold a flight; and, notwithstanding the deformity of the general plan, the obsolete barbarisms of the phraseology, its quaintness and pedantry, notwithstanding the cantering dactylic measure in which it is composed, and which to the ear of a foreigner can scarcely be made tolerable, the work abounds in conceptions, nay in whole episodes, of such mingled energy and beauty as indicate genius of the highest order. In some of the smaller pieces his style assumes a graceful flexibility too generally denied to his more strained and elaborate efforts.[31]

It will not be necessary to bring under review the minor luminaries of this period. Alfonso de Baena, a converted Jew, secretary of John the Second, compiled the fugitive pieces of more than fifty of these ancient troubadours into a *cancionero,* " for the disport and divertisement of his highness the king, when he should find himself too sorely oppressed with cares of state,"—a case we may imagine of no rare occurrence. The original manuscript of Baena, transcribed in beautiful characters of the fifteenth century, lies, or did lie until very lately, unheeded in the cemetery of the Escurial, with the dust of many a better worthy.[32]

[31] A collection of them is incorporated in the Cancionero general, fol. 41 et seq.

[32] Castro, Biblioteca Española (Madrid, 1781), tom. i. pp. 266, 267. —This interesting document, the most primitive of all the Spanish *cancioneros,* notwithstanding its local position in the library is speci-

The extracts selected from it by Castro, although occasionally exhibiting some fluent graces with considerable variety of versification, convey, on the whole, no very high idea of taste or poetic talent.[33]

Indeed, this epoch, as before remarked, was not so much distinguished by uncommon displays of genius, as by its general intellectual movement, and the enthusiasm kindled for liberal studies. Thus we find the corporation of Seville granting a hundred *doblas* of gold as the guerdon of a poet who had celebrated in some score of verses the glories of their native city, and appropriating the same sum as an annual premium for a similar performance.[34] It is not often that the productions of a poet-laureate have been more liberally recompensed even by royal bounty. But the gifted spirits of that day mistook the road to immortality. Disdaining the untutored simplicity of their predecessors, they sought to rise above them by an ostentation of learning, as well as by a more classical idiom. In the latter particular they succeeded. They much improved the external forms of poetry, and their compositions exhibit a high

fied by Castro with great precision, eluded the search of the industrious translators of Bouterwek, who think it may have disappeared during the French invasion. Literatura Española, trad. de Cortina y Mollinedo, p. 205, nota Hh.

[33] See these collected in Castro, Biblioteca Española, tom. ii. p. 265 et seq.—The veneration entertained for the poetic art in that day may be conceived from Baena's whimsical prologue. "Poetry," he says, "or the gay science, is a very subtile and delightsome composition. It demands in him who would hope to excel in it a curious invention, a sane judgment, a various scholarship, familiarity with courts and public affairs, high birth and breeding, a temperate, courteous, and liberal disposition, and, in fine, honey, sugar, salt, freedom, and hilarity in his discourse." p. 268.

[34] Castro, Biblioteca Española, tom. i. p. 273.

degree of literary finish, compared with all that preceded them. But their happiest sentiments are frequently involved in such a cloud of metaphor as to become nearly unintelligible; while they invoke the pagan deities with a shameless prodigality that would scandalize even a French lyric. This cheap display of schoolboy erudition, however it may have appalled their own age, has been a principal cause of their comparative oblivion with posterity. How far superior is one touch of nature, as the "Finojosa" or "Querella de Amor," for example, of the marquis of Santillana, to all this farrago of metaphor and mythology!

The impulse given to Castilian poetry extended to other departments of elegant literature. Epistolary and historical composition were cultivated with considerable success. The latter, especially, might admit of advantageous comparison with that of any other country in Europe at the same period;[35] and it is remarkable that, after such early promise, the modern Spaniards have not been more successful in perfecting a classical prose style.

[35] Perhaps the most conspicuous of these historical compositions for mere literary execution is the Chronicle of Alvaro de Luna, to which I have had occasion to refer, edited in 1784, by Flores, the diligent secretary of the Royal Academy of History. He justly commends it for the purity and harmony of its diction. The loyalty of the chronicler seduces him sometimes into a swell of panegyric which may be thought to savor too strongly of the current defect of Castilian prose; but it more frequently imparts to his narrative a generous glow of sentiment, raising it far above the lifeless details of ordinary history, and occasionally even to positive eloquence.—Nic. Antonio, in the tenth book of his great repository, has assembled the biographical and bibliographical notices of the various Spanish authors of the fifteenth century, whose labors diffused a glimmering of light over their own age, which has become faint in the superior illumination of the succeeding.

Enough has been said to give an idea of the state of mental improvement in Castile under John the Second. The Muses, who had found a shelter in his court from the anarchy which reigned abroad, soon fled from its polluted precincts under the reign of his successor Henry the Fourth, whose sordid appetites were incapable of being elevated above the objects of the senses. If we have dwelt somewhat long on a more pleasing picture, it is because our road is now to lead us across a dreary waste exhibiting scarcely a vestige of civilization.

While a small portion of the higher orders of the nation was thus endeavoring to forget the public calamities in the tranquillizing pursuit of letters, and a much larger portion in the indulgence of pleasure,[36] the popular aversion for the minister Luna had been gradually infusing itself into the royal bosom. His too obvious assumption of superiority, even over the monarch who had raised him from the dust, was probably the real though secret cause of this disgust. But the habitual ascendancy of the favorite over his master prevented the latter from disclosing this feeling, until it was heightened by an occurrence which sets in a strong light the imbecility of the one and the presumption of the other. John, on the death of his wife, Maria of Aragon, had formed the design of connecting himself with a daughter of the king

[36] Sempere, in his Historia del Luxo (tom. i. p. 177), has published an extract from an unprinted manuscript of the celebrated marquis of Villena, entitled *Triunfo de las Doñas,* in which, adverting to the *petits-maîtres* of his time, he recapitulates the fashionable arts employed by them for the embellishment of the person, with a degree of minuteness which might edify a modern *dandy.*

of France. But the constable, in the mean time, without even the privity of his master, entered into negotiations for his marriage with the princess Isabella, granddaughter of John the First of Portugal; and the monarch, with an unprecedented degree of complaisance, acquiesced in an arrangement professedly repugnant to his own inclinations.[37] By one of those dispensations of Providence, however, which often confound the plans of the wisest, as of the weakest, the column which the minister had so artfully raised for his support served only to crush him.

The new queen, disgusted with his haughty bearing, and probably not much gratified with the subordinate situation to which he had reduced her husband, entered heartily into the feelings of the latter, and indeed contrived to extinguish whatever spark of latent affection for his ancient favorite lurked within his breast. John, yet fearing the overgrown power of the constable too much to encounter him openly, condescended to adopt the dastardly policy of Tiberius on a similar occasion, by caressing the man whom he designed to ruin; and he eventually obtained possession of his person only by a violation of the royal safe-conduct. The constable's trial was referred to a commission of jurists and privy councillors, who, after a summary and informal investigation, pronounced on him the sentence of death on a specification of charges either general and indeterminate, or of the most trivial import. "If the king," says Gari-

[37] Crónica de Juan II., p. 499.—Faria y Sousa, Europa Portuguesa (1679), tom. ii. pp. 335, 372.

bay, " had dispensed similar justice to all his nobles who equally deserved it in those turbulent times, he would have had but few to reign over." [38]

The constable had supported his disgrace, from the first, with an equanimity not to have been expected from his elation in prosperity; and he now received the tidings of his fate with a similar fortitude. As he rode along the streets to the place of execution, clad in the sable livery of an ordinary criminal, and deserted by those who had been reared by his bounty, the populace, who before called so loudly for his disgrace, struck with this astonishing reverse of his brilliant fortunes, were melted into tears.[39] They called to mind the numerous instances of his magnanimity. They reflected that the ambitious schemes of his rivals had been not a whit less selfish, though less successful, than his own, and that, if his cupidity appeared insatiable, he had dispensed the fruits of it in acts of princely munificence. He himself maintained a serene and even cheerful aspect. Meeting one of the domestics of Prince Henry, he bade him request the prince " to reward the attachment of his servants with a different guerdon from what

[38] Crónica de Alvaro de Luna, tit. 128.—Crónica de Juan II., pp. 457, 460, 572.—Abarca, Reyes de Aragon, tom. ii. fol. 227, 228.—Garibay, Compendio historial de las Chrónicas de España (Barcelona, 1628), tom. ii. p. 493.

[39] Crónica de Alvaro de Luna, tit. 128.—What a contrast to all this is afforded by the vivid portrait, sketched by John de Mena, of the constable in the noontide of his glory!

> "Este caualga sobre la fortuna
> y doma su cuello con asperas riendas
> y aunque del tenga tan muchas de prendas
> ella non le osa tocar de ninguna," etc.
> Laberinto, coplas 235 et seq.

his master had assigned to him." As he ascended the scaffold, he surveyed the apparatus of death with composure, and calmly submitted himself to the stroke of the executioner, who, in the savage style of the executions of that day, plunged his knife into the throat of his victim, and deliberately severed his head from his body. A basin, for the reception of alms to defray the expenses of his interment, was placed at one extremity of the scaffold; and his mutilated remains, after having been exposed for several days to the gaze of the populace, were removed, by the brethren of a charitable order, to a place called the hermitage of St. Andrew, appropriated as the cemetery for malefactors.[40] (1453.)

Such was the tragical end of Alvaro de Luna,—a man who for more than thirty years controlled the counsels of the sovereign, or, to speak more properly, was himself the sovereign, of Castile. His fate furnishes one of the most memorable lessons in history. It was not lost on his contemporaries; and the marquis of Santillana has made use of it to point the moral of perhaps the most pleasing of his didactic compositions.[41] John did

[40] Cibdareal, Centon epistolario, ep. 103.—Crónica de Juan II., p. 564.—Crónica de Alvaro de Luna, tit. 128, and Apend. p. 458.

[41] Entitled "Doctrinal de Privados." See the Cancionero general, fol. 37 et seq.—In the following stanza, the constable is made to moralize with good effect on the instability of worldly grandeur:

"Que se hizo la moneda
que guarde para mis daños
tantos tiempos tantos años
plata joyas oro y seda
y de todo no me queda
sino este cadahalso;
mundo malo mundo falso
no ay quien contigo pueda."

not long survive his favorite's death, which he was seen afterwards to lament even with tears. Indeed, during the whole of the trial he had exhibited the most pitiable agitation, having twice issued and recalled his orders countermanding the constable's execution; and, had it not been for the superior constancy or vindictive temper of the queen, he would probably have yielded to these impulses of returning affection.[42]

So far from deriving a wholesome warning from experience, John confided the entire direction of his kingdom to individuals not less interested, but possessed of far less enlarged capacities, than the former minister. Penetrated with remorse at the retrospect of his unprofitable life, and filled with melancholy presages of the future, the unhappy prince lamented to his faithful attendant Cibdareal, on his death-bed, that " he had not been born the son of a mechanic, instead of king of Castile." He died July 21st, 1454, after a reign of eight-and-forty years, if reign it may be called which was more properly one protracted minority.

Manrique has the same sentiments in his exquisite "Coplas." I give Longfellow's version, as spirited as it is literal:

"Spain's haughty Constable,—the great
And gallant Master,—cruel fate
Stripped him of all.
Breathe not a whisper of his pride;
He on the gloomy scaffold died,
Ignoble fall!
The countless treasures of his care.
Hamlets and villas green and fair,
His mighty power,—
What were they all but grief and shame,
Tears and a broken heart, when came
The parting hour?"

Stanza 21.

[42] Cibdareal, Centon epistolario, ep. 103.—Crónica de Alvaro de Luna, tit. 128.

John left one child by his first wife, Henry, who succeeded him on the throne; and by his second wife two others, Alfonso, then an infant, and Isabella, afterwards queen of Castile, the subject of the present narrative. She had scarcely reached her fourth year at the time of her father's decease, having been born on the 22d of April, 1451, at Madrigal. The king recommended his younger children to the especial care and protection of their brother Henry, and assigned the town of Cuellar, with its territory and a considerable sum of money, for the maintenance of the Infanta Isabella.[43]

[43] Crónica de Juan II., p. 576.—Cibdareal, Centon epistolario, epist. 105.—There has been considerable discrepancy, even among contemporary writers, both as to the place and the epoch of Isabella's birth, amounting, as regards the latter, to nearly two years. I have adopted the conclusion of Señor Clemencin, formed from a careful collation of the various authorities, in the sixth volume of the Memorias de la Real Academia de Historia (Madrid, 1821), Ilust. 1, pp. 56–60. Isabella was descended both on the father's and mother's side from the famous John of Gaunt, duke of Lancaster. See Florez, Memorias de las Reynas Cathólicas (2d ed. Madrid, 1770), tom. ii. pp. 743, 787.

CHAPTER II

CONDITION OF ARAGON DURING THE MINORITY OF FERDINAND—REIGN OF JOHN II. OF ARAGON

1452–1472

John of Aragon—Difficulties with his Son Carlos—Birth of Ferdinand—Insurrection of Catalonia—Death of Carlos—His Character—Tragical Story of Blanche—Young Ferdinand besieged by the Catalans—Treaty between France and Aragon—Distress and Embarrassments of John—Siege and Surrender of Barcelona

WE must now transport the reader to Aragon, in order to take a view of the extraordinary circumstances which opened the way for Ferdinand's succession in that kingdom. The throne, which had become vacant by the death of Martin, in 1410, was awarded, by the committee of judges to whom the nation had referred the great question of the succession, to Ferdinand, regent of Castile during the minority of his nephew, John the Second; and thus the sceptre, after having for more than two centuries descended in the family of Barcelona, was transferred to the same bastard branch of Trastamara that ruled over the Castilian monarchy.[1] Ferdinand the First was succeeded after a brief reign by his son Alfonso the Fifth, whose personal history belongs less to Aragon than to

[1] The reader who may be curious in this matter will find the pedigree exhibiting the titles of the several competitors to the crown given by Mr. Hallam. (State of Europe during the Middle Ages (2d ed. London, 1819), vol. ii. p. 60, note.) The claims of Ferdinand were certainly not derived from the usual laws of descent.

Naples, which kingdom he acquired by his own prowess, and where he established his residence, attracted, no doubt, by the superior amenity of the climate and the higher intellectual culture as well as the pliant temper of the people, far more grateful to the monarch than the sturdy independence of his own countrymen.

During his long absence, the govenment of his hereditary domains devolved on his brother John, as his lieutenant-general in Aragon.[2] This prince had married Blanche, widow of Martin, king of Sicily, and daughter of Charles the Third of Navarre. By her he had three children: Carlos, prince of Viana;[3] Blanche, married to and afterwards repudiated by Henry the Fourth of Castile;[4] and Eleanor, who espoused a French noble, Gaston, count of Foix. On the demise of the elder Blanche, the crown of Navarre rightfully belonged to her son, the prince of Viana, conformably to a stipulation in her marriage contract, that, on the event of her death, the eldest heir male, and, in default of sons, female, should inherit the kingdom to the exclusion of her husband.[5] (1442.)

[2] The reader of Spanish history often experiences embarrassment from the identity of names in the various princes of the Peninsula. Thus, the John mentioned in the text, afterwards John II., might be easily confounded with his namesake and contemporary, John II. of Castile. The genealogical table at the beginning of this History will show their relationship to each other.

[3] His grandfather, Charles III., created this title in favor of Carlos, appropriating it as the designation henceforth of the heir apparent. Aleson, Anales del Reyno de Navarra, contin. de Moret (Pamplona, 1766), tom. iv. p. 398.—Salazar de Mendoza, Monarquía, tom. ii. p. 331.

[4] See Part I. chap. 3, note 5, of this History.

[5] This fact, vaguely and variously reported by Spanish writers, is fully established by Aleson, who cites the original instrument, con-

This provision, which had been confirmed by her father, Charles the Third, in his testament, was also recognized in her own, accompanied, however, with a request that her son Carlos, then twenty-one years of age, would, before assuming the sovereignty, solicit " the good will and approbation of his father." [6] Whether this approbation was withheld, or whether it was ever solicited, does not appear. It seems probable, however, that Carlos, perceiving no disposition in his father to relinquish the rank and nominal title of King of Navarre, was willing he should retain them, so long as he himself should be allowed to exercise the actual rights of sovereignty; which indeed he did, as lieutenant-general or governor of the kingdom, at the time of his mother's decease, and for some years after.[7]

In 1447, John of Aragon contracted a second alliance, with Joan Henriquez, of the blood royal of Castile, and daughter of Don Frederick Henriquez, admiral of that kingdom; [8] a woman considerably younger than himself, of consummate address, intrepid spirit, and unprincipled ambition. Some years after this union, John sent his wife into Navarre, with authority to divide with his son Carlos the administration of the government there. This encroachment on his rights, for such Carlos

tained in the archives of the counts of Lerin. Anales de Navarra, tom. iv. pp. 354, 365.

[6] See the reference to the original document in Aleson (tom. iv. pp. 365, 366). This industrious writer has established the title of Prince Carlos to Navarre, so frequently misunderstood or misrepresented by the national historians, on an incontestable basis.

[7] Ibid., tom. iv. 467.

[8] See Part I. chap. 3, of this work.

reasonably deemed it, was not mitigated by the deportment of the young queen, who displayed all the insolence of sudden elevation, and who from the first seems to have regarded the prince with the malevolent eye of a stepmother.

Navarre was at that time divided by two potent factions, styled, from their ancient leaders, Beaumonts and Agramonts; whose hostility, originating in a personal feud, had continued long after its original cause had become extinct.[9] The prince of Viana was intimately connected with some of the principal partisans of the Beaumont faction, who heightened by their suggestions the indignation to which his naturally gentle temper had been roused by the usurpation of Joan, and who even called on him to assume openly, and in defiance of his father, the sovereignty which of right belonged to him. The emissaries of Castile, too, eagerly seized this occasion of retaliating on John his interference in the domestic concerns of that monarchy, by fanning the spark of discord into a flame. The Agramonts, on the other hand, induced rather by hostility to their political adversaries than to the prince of Viana, vehemently espoused the cause of the queen. In this revival of half-buried animosities, fresh causes of disgust were multiplied, and matters soon came to the worst extremity. The queen, who had retired to Estella, was besieged there by the forces of the

[9] Gaillard errs in referring the origin of these factions to this epoch. (Histoire de la Rivalité de France et de l'Espagne (Paris, 1801), tom. iii. p. 227.) Aleson quotes a proclamation of John in relation to them in the lifetime of Queen Blanche. Anales de Navarra, tom. iv. p. 494.

prince. The king, her husband, on receiving intelligence of this, instantly marched to her relief; and the father and son confronted each other at the head of their respective armies near the town of Aybar.[10]

The unnatural position in which they thus found themselves seems to have sobered their minds, and to have opened the way to an accommodation, the terms of which were actually arranged, when the long-smothered rancor of the ancient factions of Navarre thus brought in martial array against each other, refusing all control, precipitated them into an engagement. The royal forces were inferior in number, but superior in discipline, to those of the prince, who, after a well-contested action, saw his own party entirely discomfited, and himself a prisoner.[11] (1452.)

Some months before this event, Queen Joan had been delivered of a son, afterwards so famous as Ferdinand the Catholic,—whose humble prospects at the time of his birth, as a younger brother, afforded a striking contrast with the splendid destiny which eventually awaited him. This auspicious event occurred in the little town of Sos, in Aragon, on the 10th of March, 1452, and, as it was nearly contemporary with the capture of Constantinople, is regarded by Garibay to have been

[10] Zurita, Anales, tom. iii. fol. 278.—Lucio Marineo Siculo, Coronista de sus Magestades, Las Cosas memorables de España (Alcalá de Henares, 1539), fol. 104.—Aleson, Anales de Navarra, tom. iv. pp. 494–498.

[11] Abarca, Reyes de Aragon, tom. ii. fol. 223.—Aleson, Anales de Navarra, tom. iv. pp. 501–503.—L. Marineo, Cosas memorables, fol. 105.

providentially assigned to this period, as affording, in a religious view, an ample counterpoise to the loss of the capital of Christendom.[12]

The demonstrations of satisfaction exhibited by John and his court on this occasion contrasted strangely with the stern severity with which he continued to visit the offences of his elder offspring. It was not till after many months of captivity that the king, in deference to public opinion rather than the movements of his own heart, was induced to release his son, on conditions, however, so illiberal (his indisputable claim to Navarre not being even touched upon) as to afford no reasonable basis of reconciliation. The young prince accordingly, on his return to Navarre, became again involved in the factions which desolated that unhappy kingdom, and, after an ineffectual struggle against his enemies, resolved to seek an asylum at the court of his uncle Alfonso the Fifth of Naples, and to refer

[12] Compendio, tom. iii. p. 419.—L. Marineo describes the heavens as uncommonly serene at the moment of Ferdinand's birth. "The sun, which had been obscured with clouds during the whole day, suddenly broke forth with unwonted splendor. A crown was also beheld in the sky, composed of various brilliant colors like those of a rainbow. All which appearances were interpreted by the spectators as an omen that the child then born would be the most illustrious among men." (Cosas memorables, fol. 153.) Garibay postpones the nativity of Ferdinand to the year 1453, and L. Marineo, who ascertains with curious precision even the date of his conception, fixes his birth in 1450 (fol. 153). But Alonso de Palencia in his History (Verdadera Corónica de Don Enrique IV., Rei de Castilla y Leon, y del Rei Don Alonso su Hermano, MS.), and Andrés Bernaldez, Cura de Los Palacios (Historia de los Reyes Católicos, MS., c. 8), both of them contemporaries, refer this event to the period assigned in the text; and, as the same epoch is adopted by the accurate Zurita (Anales, tom. iv. fol. 9), I have given it the preference.

to him the final arbitration of his differences with his father.[13]

On his passage through France and the various courts of Italy, he was received with the attentions due to his rank, and still more to his personal character and misfortunes. Nor was he disappointed in the sympathy and favorable reception which he had anticipated from his uncle. Assured of protection from so high a quarter, Carlos might now reasonably flatter himself with the restitution of his legitimate rights, when these bright prospects were suddenly overcast by the death of Alfonso, who expired at Naples of a fever in the month of May, 1458, bequeathing his hereditary dominions of Spain, Sicily, and Sardinia to his brother John, and his kingdom of Naples to his illegitimate son Ferdinand.[14]

The frank and courteous manners of Carlos had won so powerfully on the affections of the Neapolitans, who distrusted the dark, ambiguous character of Ferdinand, Alfonso's heir, that a large party eagerly pressed the prince to assert his title to the vacant throne, assuring him of a general support from the people. But Carlos, from motives of prudence or magnanimity, declined engaging in this new contest,[15] and passed over to

[13] Zurita, Anales, tom. iv. fol. 3–48.—Aleson, Anales de Navarra, tom. iv. pp. 508–526.—L. Marineo, Cosas memorables, fol. 105.

[14] Giannone, Istoria civile del Regno di Napoli (Milano, 1823), lib. 26, c. 7.—Ferreras, Histoire générale d'Espagne, trad. par D'Hermilly (Paris, 1751), tom. vii. p. 60.—L'Histoire du Royaume de Navarre, par l'un des Secrétaires-Interprettes de sa Majesté (Paris, 1596), p. 468.

[15] Compare the narrative of the Neapolitan historians Summonte (Historia della Città e Regno di Napoli (Napoli, 1675), lib. 5, c. 2)

Sicily, whence he resolved to solicit a final reconciliation with his father. He was received with much kindness by the Sicilians, who, preserving a grateful recollection of the beneficent sway of his mother, Blanche, when queen of that island, readily transferred to the son their ancient attachment to the parent. An assembly of the states voted a liberal supply for his present exigencies, and even urged him, if we are to credit the Catalan ambassador at the court of Castile, to assume the sovereignty of the island.[16] Carlos, however, far from entertaining so rash an ambition, seems to have been willing to seclude himself from public observation. He passed the greater portion of his time at a convent of Benedictine friars not far from Messina, where, in the society of learned men, and with the facilities of an extensive library, he endeavored to recall the happier hours of youth in the pursuit of his favorite studies of philosophy and history.[17]

In the mean while, John, now king of Aragon and its dependencies, alarmed by the reports of his son's popularity in Sicily, became as solicitous

and Giannone (Istoria civile, lib. 26, c. 7,—lib. 27, Introd.) with the opposite statements of L. Marineo, Cosas memorables (fol. 106), himself a contemporary, Aleson (Anales de Navarra, tom. iv. p. 546), and other Spanish writers.

[16] Enriquez del Castillo, Crónica de Enrique el Quarto (Madrid, 1787), cap. 43.

[17] Zurita, Anales, tom. iv. fol. 97.—Nic. Antonio, Bibliotheca Vetus, tom. ii. p. 282.—L. Marineo, Cosas memorables, fol. 106.—Abarca, Reyes de Aragon, tom. ii. fol. 250.—Carlos bargained with Pope Pius II. for a transfer of this library, particularly rich in the ancient classics, to Spain, which was eventually defeated by his death. Zurita, who visited the monastery containing it nearly a century after this period, found its inmates possessed of many traditionary anecdotes respecting the prince during his seclusion among them.

for the security of his authority there as he had before been for it in Navarre. He accordingly sought to soothe the mind of the prince by the fairest professions, and to allure him back to Spain by the prospect of an effectual reconciliation. Carlos, believing what he most earnestly wished, in opposition to the advice of his Sicilan counsellors, embarked for Majorca, and, after some preliminary negotiations, crossed over to the coast of Barcelona. Postponing, for fear of giving offence to his father, his entrance into that city, which, indignant at his persecution, had made the most brilliant preparations for his reception, he proceeded to Igualada, where an interview took place between him and the king and queen, in which he conducted himself with unfeigned humility and penitence, reciprocated on their part by the most consummate dissimulation.[18]

All parties now confided in the stability of a pacification so anxiously desired, and effected with such apparent cordiality. It was expected that John would hasten to acknowledge his son's title as heir apparent to the crown of Aragon, and convene an assembly of the states to tender him the customary oath of allegiance. But nothing was further from the monarch's intention. He indeed summoned the Aragonese cortes at Fraga for the purpose of receiving their homage to himself; but he expressly refused their request touching a similar ceremony to the prince of Viana; and he openly rebuked the Catalans for presuming to

[18] Aleson, Anales de Navarra, tom. iv. pp. 548–554.—Abarca, Reyes de Aragon, tom. ii. fol. 251.—Zurita, Anales, tom. iv. fol. 60–69.

address him as the successor to the crown.[19] (1460.)

In this unnatural procedure it was easy to discern the influence of the queen. In addition to her original causes of aversion to Carlos, she regarded him with hatred as the insuperable obstacle to her own child Ferdinand's advancement. Even the affection of John seemed to be now wholly transferred from the offspring of his first to that of his second marriage; and, as the queen's influence over him was unbounded, she found it easy by artful suggestions to put a dark construction on every action of Carlos, and to close up every avenue of returning affection within his bosom.

Convinced at length of the hopeless alienation of his father, the prince of Viana turned his attention to other quarters, whence he might obtain support, and eagerly entered into a negotiation, which had been opened with him on the part of Henry the Fourth of Castile, for a union with his sister the princess Isabella. This was coming in direct collision with the favorite scheme of his parents. The marriage of Isabella with the young Ferdinand, which indeed, from the parity of their ages, was a much more suitable connection than that with Carlos, had long been the darling object of their policy, and they resolved to effect it in the face of every obstacle. In conformity with this purpose, John invited the prince of Viana to attend him at Lerida, where he was then holding the cortes of Catalonia. The latter, fondly, and indeed fool-

[19] Abarca, Reyes de Aragon, ubi supra.—Zurita, Anales, tom. iv. fol. 70–75.—Aleson, Anales de Navarra, tom. iv. p. 556.

ishly, after his manifold experience to the contrary, confiding in the relenting disposition of his father, hastened to obey the summons, in expectation of being publicly acknowledged as his heir in the assembly of the states. After a brief interview he was arrested, and his person placed in strict confinement.[20]

The intelligence of this perfidious procedure diffused general consternation among all classes. They understood too well the artifices of the queen and the vindictive temper of the king, not to feel the most serious apprehensions not only for the liberty but for the life of their prisoner. The cortes of Lerida, which, though dissolved on that very day, had not yet separated, sent an embassy to John, requesting to know the nature of the crimes imputed to his son. The permanent deputation of Aragon, and a delegation from the council of Barcelona, waited on him for a similar purpose, remonstrating at the same time against any violent and unconstitutional proceeding. To all these John returned a cold, evasive answer, darkly intimating a suspicion of conspiracy by his son against his life, and reserving to himself the punishment of the offence.[21]

No sooner was the result of their mission communicated, than the whole kingdom was thrown into a ferment. The high-spirited Catalans rose in

[20] L. Marineo, Cosas memorables, fol. 108.—Zurita, Anales, lib. 17, cap. 3.—Aleson, Anales de Navarra, tom. iv. pp. 556, 557.—Castillo, Crónica, cap. 27.

[21] L. Marineo, Cosas memorables, fol. 108, 109.—Abarca, Reyes de Aragon, tom. ii. fol. 252.—Zurita, Anales, lib. 17, cap. 45.—Aleson, Anales de Navarra, tom. ii. p. 357.

arms, almost to a man. The royal governor, after a fruitless attempt to escape, was seized and imprisoned in Barcelona. Troops were levied, and placed under the command of experienced officers of the highest rank. The heated populace, outstripping the tardy movement of military operations, marched forward to Lerida in order to get possession of the royal person. The king, who had seasonable notice of this, displayed his wonted presence of mind. He ordered supper to be prepared for him at the usual hour, but, on the approach of night, made his escape on horseback with one or two attendants only, on the road to Fraga, a town within the territory of Aragon; while the mob, traversing the streets of Lerida, and finding little resistance at the gate, burst into the palace and ransacked every corner of it, piercing, in their fury, even the curtains and beds with their swords and lances.[22]

The Catalan army, ascertaining the route of the royal fugitive, marched directly on Fraga, and arrived so promptly that John, with his wife, and the deputies of the Aragonese cortes assembled there, had barely time to make their escape on the road to Saragossa, while the insurgents poured into the city from the opposite quarter. The person of Carlos, in the mean time, was secured in the inaccessible fortress of Morella, situated in a mountainous district on the confines of Valencia. John, on halting at Sargossa, endeavored to assemble an

[22] Aleson, Anales de Navarra, tom. ii. p. 358.—Zurita, Anales, lib. 17, cap. 6.—Abarca, Reyes de Aragon, tom. ii. fol. 253.—L. Marineo, Cosas memorables, fol. 111.

Aragonese force capable of resisting the Catalan rebels. But the flame of insurrection had spread throughout Aragon, Valencia, and Navarre, and was speedily communicated to his transmarine possessions of Sardinia and Sicily. The king of Castile supported Carlos at the same time by an irruption into Navarre; and his partisans, the Beaumonts, co-operated with these movements by a descent on Aragon.[23]

John, alarmed at the tempest which his precipitate conduct had aroused, at length saw the necessity of releasing his prisoner; and, as the queen had incurred general odium as the chief instigator of his persecution, he affected to do this in consequence of her interposition. As Carlos with his mother-in-law traversed the country on their way to Barcelona, he was everywhere greeted, by the inhabitants of the villages thronging out to meet him, with the most touching enthusiasm. The queen, however, having been informed by the magistrates that her presence would not be permitted in the capital, deemed it prudent to remain at Villa Franca, about twenty miles distant; while the prince, entering Barcelona, was welcomed with the triumphant acclamations due to a conqueror returning from a campaign of victories.[24]

The conditions on which the Catalans proposed

[23] Zurita, Anales, lib. 17, cap. 6.—L. Marineo, Cosas memorables, fol. 111.

[24] Castillo, Crónica, cap. 28.—Abarca, Reyes de Aragon, fol. 253, 254.—L. Marineo, Cosas memorables, fol. 111, 112.—Aleson, Anales de Navarra, tom. iv. pp. 559, 560.—The inhabitants of Tarraca closed their gates upon the queen, and rung the bells on her approach, the signal of alarm on the appearance of an enemy or for the pursuit of a malefactor.

to resume their allegiance to their sovereign were sufficiently humiliating. They insisted not only on his public acknowledgment of Carlos as his rightful heir and successor, with the office, conferred on him for life, of lieutenant-general of Catalonia, but on an obligation on his part that he would never enter the province without their express permission. Such was John's extremity that he not only accepted these unpalatable conditions, but did it with affected cheerfulness.

Fortune seemed now weary of persecution, and Carlos, happy in the attachment of a brave and powerful people, appeared at length to have reached a haven of permanent security. But at this crisis he fell ill of a fever, or, as some historians insinuate, of a disorder occasioned by poison administered during his imprisonment,—a fact which, although unsupported by positive evidence, seems, notwithstanding its atrocity, to be no wise improbable, considering the character of the parties implicated. He expired on the 23d of September, 1461, in the forty-first year of his age, bequeathing his title to the crown of Navarre, in conformity with the original marriage contract of his parents, to his sister Blanche and her posterity.[25]

Thus in the prime of life, and at the moment when he seemed to have triumphed over the malice of his enemies, died the prince of Viana, whose character, conspicuous for many virtues, has be-

[25] Alonso de Palencia, Corónica, MS., part. 2, cap. 51.—L. Marineo, Cosas memorables, fol. 114.—Aleson, Anales de Navarra, tom. iv. pp. 561–563.—Zurita, Anales, cap. 19, 24.

come still more so for his misfortunes. His first act of rebellion, if such, considering his legitimate pretensions to the crown, it can be called, was severely requited by his subsequent calamities; while the vindictive and persecuting temper of his parents excited a very general commiseration in his behalf, and brought him more effectual support than could have been derived from his own merits or the justice of his cause.

The character of Don Carlos has been portrayed by Lucio Marineo, who, as he wrote an account of these transactions by the command of Ferdinand the Catholic, cannot be suspected of any undue partiality in favor of the prince of Viana. "Such," says he, "were his temperance and moderation, such the excellence of his breeding, the purity of his life, his liberality and munificence, and such the sweetness of his demeanor, that no one thing seemed to be wanting in him which belongs to a true and perfect prince." [26] He is described by another contemporary as "in person somewhat above the middle stature, having a thin visage, with a serene and modest expression of countenance, and withal somewhat inclined to melancholy." [27] He was a considerable proficient in music, painting, and several mechanic arts. He frequently amused himself with poetical composition, and was

[26] L. Marineo, Cosas memorables, fol. 106.—"Por quanto era la templança y mesura de aquel principe; tan grande el concierto y su criança y costumbres, la limpieza de su vida, su liberalidad y magnificencia, y finalmente su dulce conversacion, que ninguna cosa en el faltava de aquellas que pertenescen a recta vivir, y que arman el verdadero y perfecto principe y señor."

[27] Gundisalvus Garsias, apud Nic. Antonio Bibliotheca Vetus, tom. ii. p. 281.

the intimate friend of some of the most eminent bards of his time. But he was above all devoted to the study of philosophy and history. He made a version of Aristotle's Ethics into the vernacular, which was first printed, nearly fifty years after his death, at Saragossa, in 1509. He compiled also a Chronicle of Navarre from the earliest period to his own times, which, although suffered to remain in manuscript, has been liberally used and cited by the Spanish antiquaries Garibay, Blancas, and others.[28] His natural taste and his habits fitted him much better for the quiet enjoyment of letters than for the tumultuous scenes in which it was his misfortune to be involved, and in which he was no match for enemies grown gray in the field and in the intrigues of the cabinet. But if his devotion to learning, so rare in his own age, and so very rare among princes in any age, was unpropitious to his success on the busy theatre on which he was engaged, it must surely elevate his character in the estimation of an enlightened posterity.

The tragedy did not terminate with the death of Carlos. His sister Blanche, notwithstanding the inoffensive gentleness of her demeanor, had long been involved, by her adhesion to her unfortunate brother, in a similar proscription with him. The succession to Navarre having now devolved on her, she became tenfold an object of jealousy both to her father, the present possessor of that kingdom, and to her sister Eleanor, countess of Foix, to whom the reversion of it had been promised by

[28] Nic. Antonio, Bibliotheca Vetus, tom. ii. pp. 281, 282.—Mariana, Hist de España, tom. ii. p. 434.

BLANCHE OF NAVARRE OR OF CASTILE

the intimate friend of some of the most eminent bards of his time. But he was above all devoted to the study of philosophy and history. He made a version of Aristotle's Ethics into the vernacular, which was first printed, nearly fifty years after his death, at Saragossa, in 1509. He compiled also a Chronicle of Navarre from the earliest period to his own times, which, although suffered to remain in manuscript, has been literally used and cited by the Spanish antiquaries Garibay, Blancas, and others.[38] His natural taste and his habits fitted him much better for the quiet enjoyment of letters than for the tumultuous scenes in which it was his misfortune to be involved, and in which he was no match for enemies grown gray in the field and in the intrigues of the cabinet. But if his devotion to learning, so rare in his own age, and so very rare among princes in any age, was unpropitious to his success on the busy theatre on which he was engaged, it must surely elevate his character in the estimation of an enlightened posterity.

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[38] Nic. Antonio, Bibliotheca Vetus, tom. ii. pp. [illegible]. — Mariana, Hist. de España, tom. ii. p. [illegible].

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John, on his own decease. The son of this lady, Gaston de Foix, had lately married a sister of Louis the Eleventh of France; and, in a treaty subsequently contracted between that monarch and the king of Aragon, it was stipulated that Blanche should be delivered into the custody of the countess of Foix, as surety for the succession of the latter, and of her posterity, to the crown of Navarre.[29]

Conformably to this provision, John endeavored to persuade the princess Blanche to accompany him into France, under the pretext of forming an alliance for her with Louis's brother, the duke of Berri. The unfortunate lady, comprehending too well her father's real purpose, besought him with the most piteous entreaties not to deliver her into the hands of her enemies; but, closing his heart against all natural affection, he caused her to be torn from her residence at Olit, in the heart of her own dominions, and forcibly transported across the mountains into those of the count of Foix. On arriving at St. Jean Pied de Port, a little town on the French side of the Pyrenees, being convinced that she had nothing further to hope from human succor, she made a formal renunciation of her right to Navarre in favor of her cousin and former husband, Henry the Fourth of Castile, who had uniformly supported the cause of her brother Carlos. Henry, though debased by sensual indulgence, was naturally of a gentle disposition, and had never treated her personally with unkindness.

[29] This treaty was signed at Olit in Navarre, April 12th, 1462.—Zurita, Anales, lib. 17, cap. 38, 39.—Gaillard, Rivalité, tom. iii. p. 235.—Gaillard confounds it with the subsequent one made in the month of May, near the town of Salvatierra in Béarn.

In a letter which she now addressed to him, and which, says a Spanish historian, cannot be read, after the lapse of so many years, without affecting the most insensible heart,[30] * she reminded him of the dawn of happiness which she had enjoyed under his protection, of his early engagements to her, and of her subsequent calamities; and, anticipating the gloomy destiny which awaited her, she settled on him her inheritance of Navarre, to the entire exclusion of her intended assassins, the count and countess of Foix.[31]

On the same day, the last of April, 1462, she was delivered over to one of their emissaries, who conducted her to the castle of Ortes in Béarn, where, after languishing in dreadful suspense for nearly two years, she was poisoned by the command of her sister.[32] The retribution of Providence not unfrequently overtakes the guilty even in this world. The countess survived her father to reign in Navarre only three short weeks; while

[30] Ferreras, Hist. d'Espagne, tom. vii. p. 110.

[31] Hist. du Royaume de Navarre, p. 496.—Aleson, Anales de Navarra, tom. iv. pp. 590–593.—Abarca, Reyes de Aragon, tom. ii. fol. 258, 259.—Zurita, Anales, lib. 17, cap. 38.

[32] Lebrija, De Bello Navariensi (Granatæ, 1545), lib. 1, cap. 1, fol. 74.—Aleson, Anales de Navarre, ubi supra.—Zurita, Anales, lib. 17, cap. 38.—The Spanish historians are not agreed as to the time or even mode of Blanche's death. All concur, however, in attributing it to assassination, and most of them, with the learned Antonio Lebrija, a contemporary (loc. cit.), in imputing it to poison. The fact of her death, which Aleson, on I know not what authority, refers to the 2d of December, 1464, was not publicly disclosed till some months after its occurrence, when disclosure became necessary in consequence of the proposed interposition of the Navarrese cortes.

* [This letter was dated St. Jean Pied de Port, April 30th, 1462. It may be found in the Documentos Ineditos, vol. xli. p. 27 et seq.—M.]

the crown was ravished from her posterity forever by that very Ferdinand whose elevation had been the object to his parents of so much solicitude and so many crimes.

Within a fortnight after the decease of Carlos, on the 6th of October, 1461, the customary oaths of allegiance, so pertinaciously withheld from that unfortunate prince, were tendered by the Aragonese deputation, at Calatayud, to his brother Ferdinand, then only ten years of age, as heir apparent of the monarchy; after which he was conducted by his mother into Catalonia, in order to receive the more doubtful homage of that province. The extremities of Catalonia at this time seemed to be in perfect repose, but the capital was still agitated by secret discontent. The ghost of Carlos was seen stalking by night through the streets of Barcelona, bewailing in piteous accents his untimely end, and invoking vengeance on his unnatural murderers. The manifold miracles wrought at his tomb soon gained him the reputation of a saint, and his image received the devotional honors reserved for such as have been duly canonized by the church.[33]

The revolutionary spirit of the Barcelonians,

[33] Alonso de Palencia, Corónica, MS., part. 2, cap. 51.—Zurita, Anales, tom. iv. fol. 98.—Abarca, Reyes de Aragon, tom. ii. fol. 256.—Aleson, Anales de Navarra, tom. iv. pp. 563 et seq.—L. Marineo, Cosas memorables, fol. 114.—According to Lanuza, who wrote nearly two centuries after the death of Carlos, the flesh upon his right arm, which had been amputated for the purpose of a more convenient application to the diseased members of the pilgrims who visited his shrine, remained in his day in a perfectly sound and healthful state! (Historias eclesiásticas y seculares de Aragon, tom. i. p. 553.) Aleson wonders that any should doubt the truth of miracles attested by the monks of the very monastery in which Carlos was interred.

kept alive by the recollection of past injury, as well as by the apprehensions of future vengeance should John succeed in re-establishing his authority over them, soon became so alarming that the queen, whose consummate address, however, had first accomplished the object of her visit, found it advisable to withdraw from the capital; and she sought refuge, with her son and such few adherents as still remained faithful to them, in the fortified city of Gerona, about fifty miles north of Barcelona.

Hither, however, she was speedily pursued by the Catalan militia, embodied under the command of their ancient leader, Roger, count of Pallas, and eager to regain the prize which they had so inadvertently lost. The city was quickly entered; but the queen, with her handful of followers, had retreated to a tower belonging to the principal church in the place, which, as was very frequent in Spain in those wild times, was so strongly fortified as to be capable of maintaining a formidable resistance. To oppose this, a wooden fortress of the same height was constructed by the assailants, and planted with lombards and other pieces of artillery then in use, which kept up an unintermitting discharge of stone bullets on the little garrison.[34]

[34] L. Marineo, Cosas memorables, fol. 116.—Alonso de Palencia, Corónica, MS., part. 2, cap. 51.—Zurita, Anales, tom. iv. fol. 113.—The Spaniards, deriving the knowledge of artillery from the Arabs, had become familiar with it before the other nations of Christendom. The affirmation of Zurita, however, that five thousand balls were fired from the battery of the besiegers at Gerona in one day, is perfectly absurd. So little was the science of gunnery advanced in other parts of Europe at this period, and indeed later, that it was usual for a field-piece not to be discharged more than twice in the

The Catalans also succeeded in running a mine beneath the fortress, through which a considerable body of troops penetrated into it, when, their premature cries of exultation having discovered them to the besieged, they were repulsed, after a desperate struggle, with great slaughter. The queen displayed the most intrepid spirit in the midst of these alarming scenes; unappalled by the sense of her own danger and that of her child, and by the dismal lamentations of the females by whom she was surrounded, she visited every part of the works in person, cheering her defenders by her presence and dauntless resolution. Such were the stormy and disastrous scenes in which the youthful Ferdinand commenced a career, whose subsequent prosperity was destined to be checkered by scarcely a reverse of fortune.[35]

In the mean while, John, having in vain attempted to penetrate through Catalonia to the relief of his wife, effected this by the co-operation of his French ally, Louis the Eleventh. That monarch, with his usual insidious policy, had covertly despatched an envoy to Barcelona on the death of Carlos, assuring the Catalans of his protection should they still continue averse to a reconciliation with their own sovereign. These offers were but coldly received; and Louis found it more for his interest to accept the propositions made to

course of an action, if we may credit Machiavelli, who, indeed, recommends dispensing with the use of artillery altogether. Arte della Guerra, lib. 3 (Opere, Genova, 1798).

[35] Alonso de Palencia, Corónica, MS., part. 2, c. 51.—L. Marineo, Cosas memorables, fol. 116.—Zurita, Anales, tom. iv. fol. 113.—Abarca, Reyes de Aragon, tom. ii. fol. 259.

him by the king of Aragon himself, which subsequently led to most important consequences. By three several treaties, of the 3d, 21st, and 23d of May, 1462, it was stipulated that Louis should furnish his ally with seven hundred lances and a proportionate number of archers and artillery during the war with Barcelona, to be indemnified by the payment of two hundred thousand gold crowns within one year after the reduction of that city; as security for which the counties of Roussillon and Cerdagne were pledged by John, with the cession of their revenues to the French king, until such time as the original debt should be redeemed. In this transaction both monarchs manifested their usual policy; Louis believing that this temporary mortgage would become a permanent alienation, from John's inability to discharge it; while the latter anticipated—as the event showed, with more justice—that the aversion of the inhabitants to the dismemberment of their country from the Aragonese monarchy would baffle every attempt on the part of the French to occupy it permanently.[36]

In pursuance of these arrangements, seven hundred French lances with a considerable body of archers and artillery [37] crossed the mountains, and,

[36] Zurita, Anales, tom. iv. fol. 111.—Another 100,000 crowns were to be paid in case further assistance should be required from the French monarch after the reduction of Barcelona. This treaty has been incorrectly reported by most of the French and all the Spanish historians whom I have consulted, save the accurate Zurita. An abstract from the original documents, compiled by the Abbé Legrand, has been given by M. Petitot in his recent edition of the Collection des Mémoires relatifs à l'Histoire de France (Paris, 1836), tom. xi. Introd. p. 245.

[37] A French lance of that day, according to L. Marineo, was accompanied by two horsemen; so that the whole contingent of cavalry to

rapidly advancing on Gerona, compelled the insurgent army to raise the siege, and to decamp with such precipitation as to leave their cannon in the hands of the royalists. The Catalans now threw aside the thin veil with which they had hitherto covered their proceedings. The authorities of the principality, established in Barcelona, publicly renounced their allegiance to King John and his son Ferdinand, and proclaimed them enemies of the *republic*. Writings at the same time were circulated, denouncing from Scriptural authority, as well as natural reason, the doctrine of legitimacy in the broadest terms, and insisting that the Aragonese monarchs, far from being absolute, might be lawfully deposed for an infringement of the liberties of the nation. "The good of the commonwealth," it was said, "must always be considered paramount to that of the prince." Extraordinary doctrines these for the age in which they were promulgated, affording a still more extraordinary contrast with those which have been since familiar in that unhappy country![38]

The government then enforced levies of all such as were above the age of fourteen, and, distrusting the sufficiency of its own resources, offered the sovereignty of the principality to Henry the Fourth of Castile. The court of Aragon, however, had so successfully insinuated its influence into the

be furnished on this occasion amounted to 2100. (Cosas memorables, fol. 117.) Nothing could be more indeterminate than the complement of a lance in the Middle Ages. It is not unusual to find it reckoned at five or six horsemen.

[38] Zurita, Anales, tom. iv. fol. 113–115.—Alonso de Palencia, Corónica, MS., part. 2, cap. 1.

council of this imbecile monarch, that he was not permitted to afford the Catalans any effectual support; and, as he abandoned their cause altogether before the expiration of the year,[39] the crown was offered to Don Pedro, constable of Portugal, a descendant of the ancient house of Barcelona. In the mean while, the old king of Aragon, attended by his youthful son, had made himself master, with his characteristic activity, of considerable acquisitions in the revolted territory, successively reducing Lerida,[40] Cervera, Amposta,[41] Tortosa, and the most important places in the south of Catalonia. (1464.) Many of these places were strongly fortified, and most of them defended with a resolution which cost the conqueror a prodigious sacrifice of time and money. John, like Philip of Macedon, made use of gold even more than arms, for the reduction of his enemies; and, though he indulged in occasional acts of resentment, his general treatment of those who submitted was as liberal as it was politic. His competitor, Don Pedro, had brought little foreign aid to the

[39] In conformity with the famous verdict given by Louis XI. at Bayonne, April 23d, 1463, previously to the interview between him and Henry IV. on the shores of the Bidassoa. See Part I. chap. 3 of this History.

[40] This was the battle-ground of Julius Cæsar in his wars with Pompey. See his ingenious military manœuvre as simply narrated in his own Commentaries (De Bello Civili, tom. i. p. 54), and by Lucan (Pharsalia, lib. 4) with his usual swell of hyperbole.

[41] The cold was so intense at the siege of Amposta, that serpents of an enormous magnitude are reported by L. Marineo to have descended from the mountains and taken refuge in the camp of the besiegers. Portentous and supernatural voices were frequently heard during the nights. Indeed, the superstition of the soldiers appears to have been so lively as to have prepared them for seeing and hearing anything.

support of his enterprise; he had failed altogether in conciliating the attachment of his new subjects; and, as the operations of the war had been conducted on his part in the most languid manner, the whole of the principality seemed destined soon to relapse under the dominion of its ancient master. At this juncture the Portuguese prince fell ill of fever, of which he died on the 29th of June, 1466. This event, which seemed likely to lead to a termination of the war, proved ultimately the cause of its protraction.[42]

It appeared, however, to present a favorable opportunity to John for opening a negotiation with the insurgents. But so resolute were they in maintaining their independence, that the council of Barcelona condemned two of the principal citizens, suspected of defection from the cause, to be publicly executed; it refused moreover to admit an envoy from the Aragonese cortes within the city, and caused the despatches with which he was intrusted by that body to be torn in pieces before his face.

The Catalans then proceeded to elect René le Bon, as he was styled, of Anjou, to the vacant throne, brother of one of the original competitors for the crown of Aragon on the demise of Martin; whose cognomen of "Good" is indicative of a

[42] Faria y Sousa, Europa Portuguesa, tom. ii. p. 390.—Alonso de Palencia, MS., part. 2, cap. 60, 61.—Castillo, Crónica, pp. 43, 44, 46, 49, 50, 54.—Zurita, Anales, tom. ii. fol. 116, 124, 127, 128, 130, 137, 147.—M. La Clède states that "Don Pedro no sooner arrived in Catalonia than he was poisoned." (Histoire générale de Portugal (Paris, 1735), tom. iii. p. 245.) It must have been a very slow poison. He arrived January 21st, 1464, and died June 29th, 1466.

sway far more salutary to his subjects than the more coveted and imposing title of Great.[43] This titular sovereign of half a dozen empires, in which he did not actually possess a rood of land, was too far advanced in years to assume this perilous enterprise himself; and he accordingly intrusted it to his son John, duke of Calabria and Lorraine, who, in his romantic expeditions in southern Italy, had acquired a reputation for courtesy and knightly prowess, inferior to none other of his time.[44] Crowds of adventurers flocked to the standard of a leader whose ample inheritance of pretensions had made him familiar with war from his earliest boyhood; and he soon found himself at the head of eight thousand effective troops. Louis the Eleventh, although not directly aiding his enterprise with supplies of men or money, was willing so far to countenance it as to open a passage for him through the mountain fastnesses of Roussillon, then in his keeping, and thus enable him to

[43] Sir Walter Scott, in his "Anne of Geierstein," has brought into full relief the ridiculous side of René's character. The good king's fondness for poetry and the arts, however, although showing itself occasionally in puerile eccentricities, may compare advantageously with the coarse appetites and mischievous activity of most of the contemporary princes. After all, the best tribute to his worth was the earnest attachment of his people. His biography has been well and diligently compiled by the viscount of Villeneuve Bargemont (Histoire de René d'Anjou, Paris, 1825), who has, however, indulged in greater detail than was perhaps to have been desired by René, or by his readers.

[44] Comines says of him, "À tous alarmes c'estoit le premier homme armé, et de toutes pièces, et son cheval tousjours bardé. Il portoit un habillement que ces conducteurs portent en Italie, et sembloit bien prince et chef de guerre; et y avoit d'obéissance autant que monseigneur de Charolois, et luy obéissoit tout l'ost de meilleur cœur, car à la vérité il estoit digne d'estre honoré." Philippe de Comines, Mémoires, éd. Petitot (Paris, 1826), liv. 1, chap. 11.

descend with his whole army at once on the northern borders of Catalonia.[45] (1467.)

The king of Aragon could oppose no force capable of resisting this formidable army. His exchequer, always low, was completely exhausted by the extraordinary efforts which he had made in the late campaigns; and, as the king of France, either disgusted with the long protraction of the war, or from secret good will to the enterprise of his feudal subject, withheld from King John the stipulated subsidies, the latter monarch found himself unable, with every expedient of loan and exaction, to raise sufficient money to pay his troops or to supply his magazines. In addition to this, he was now involved in a dispute with the count and countess of Foix, who, eager to anticipate the possession of Navarre, which had been guaranteed to them on their father's decease, threatened a similar rebellion, though on much less justifiable pretences, to that which he had just experienced from Don Carlos. To crown the whole of John's calamities, his eyesight, which had been impaired by exposure and protracted sufferings during the winter siege of Amposta, now failed him altogether.[46]

[45] Villeneuve Bargemont, Hist. de René, tom. ii. pp. 168, 169.—Histoire de Louys XI., autrement dicte La Chronique scandaleuse, par un Greffier de l'Hostel de Ville de Paris (Paris, 1620), p. 145.—Zurita, Anales, tom. iv. fol. 150, 153.—Alonso de Palencia, Corónica, MS., part. 2, cap. 17.—Palencia swells the numbers of the French in the service of the duke of Lorraine to 20,000.

[46] L. Marineo, Cosas memorables, fol. 139.—Zurita, Anales, tom. iv. fol. 148, 149, 158.—Aleson, Anales de Navarra, tom. iv. pp. 611–613.—Duclos, Hist. de Louis XI. (Amsterdam, 1746), tom. ii. p. 114.—Mém. de Comines, Petitot, Introd. p. 258.

In this extremity, his intrepid wife, putting herself at the head of such forces as she could collect, passed by water to the eastern shores of Catalonia, besieging Rosas in person, and checking the operations of the enemy by the capture of several inferior places; while Prince Ferdinand, effecting a junction with her before Gerona, compelled the duke of Lorraine to abandon the siege of that important city. Ferdinand's ardor, however, had nearly proved fatal to him; as, in an accidental encounter with a more numerous party of the enemy, his jaded horse would infallibly have betrayed him into their hands, had it not been for the devotion of his officers, several of whom, throwing themselves between him and his pursuers, enabled him to escape by the sacrifice of their own liberty.

These ineffectual struggles could not turn the tide of fortune. The duke of Lorraine succeeded in this and the two following campaigns in making himself master of all the rich district of Ampurdan, northeast of Barcelona. In the capital itself, his truly princely qualities and his popular address secured him the most unbounded influence. Such was the enthusiasm for his person, that, when he rode abroad, the people thronged around him, embracing his knees, the trappings of his steed, and even the animal himself, in their extravagance; while the ladies, it is said, pawned their rings, necklaces, and other ornaments of their attire, in order to defray the expenses of the war.[47]

[47] Villeneuve Bargemont, Hist. de René, tom. ii. pp. 182, 183.—L. Marineo, fol. 140.—Zurita, Anales, tom. iv. fol. 153–164.—Abarca, Reyes de Aragon, tom. ii. rey 29, cap. 7.

King John, in the mean while, was draining the cup of bitterness to the dregs. In the winter of 1468, his queen, Joan Henriquez, fell a victim to a painful disorder, which had been secretly corroding her constitution for a number of years. In many respects, she was the most remarkable woman of her time. She took an active part in the politics of her husband, and may be even said to have given them a direction. She conducted several important diplomatic negotiations to a happy issue, and, what was more uncommon in her sex, displayed considerable capacity for military affairs. Her persecution of her stepson Carlos has left a deep stain on her memory. It was the cause of all her husband's subsequent misfortunes. Her invincible spirit, however, and the resources of her genius, supplied him with the best means of surmounting many of the difficulties in which she had involved him, and her loss at this crisis seemed to leave him at once without solace or support.[48]

At this period, he was further embarrassed, as will appear in the ensuing chapter, by negotiations for Ferdinand's marriage, which was to deprive him, in a great measure, of his son's co-operation in the struggle with his subjects, and which, as he lamented, while he had scarcely three hundred

[48] Alonso de Palencia, Corónica, MS., part. 2, cap. 88.—L. Marineo, Cosas memorables, fol. 143.—Aleson, Anales de Navarra, tom. iv. p. 609.—The queen's death was said to have been caused by a cancer. According to Aleson and some other Spanish writers, Joan was heard several times, in her last illness, to exclaim, in allusion, as was supposed, to her assassination of Carlos, "Alas! Ferdinand, how dear thou hast cost thy mother!" I find no notice of this improbable confession in any contemporary author.

enriques in his coffers, called on him for additional disbursements.

As the darkest hour, however, is commonly said to precede the dawning, so light now seemed to break upon the affairs of John. A physician in Lerida of the Hebrew race, which monopolized at that time almost all the medical science in Spain, persuaded the king to submit to the then unusual operation of couching,* and succeeded in restoring sight to one of his eyes. As the Jew, after the fashion of the Arabs, debased his real science with astrology, he refused to operate on the other eye, since the planets, he said, wore a malignant aspect. But John's rugged nature was insensible to the timorous superstitions of his age, and he compelled the physician to repeat his experiment, which in the end proved perfectly successful. Thus restored to his natural faculties, the octogenarian chief, for such he might now almost be called, regained his wonted elasticity, and prepared to resume offensive operations against the enemy with all his accustomed energy.[49]

Heaven, too, as if taking compassion on his accumulated misfortunes, now removed the principal obstacle to his success by the death of the duke of Lorraine, who was summoned from the theatre of his short-lived triumphs on the 16th of

[49] Mariana, Hist. de España, tom. ii. pp. 459, 460.—L. Marineo, Cosas memorables, fol. 141.—Alonso de Palencia, Corónica, MS., cap. 88.

* ["Couching." "In surgery, an operation in cases of cataract, consisting in the removal of the opaque crystalline lens out of the axis of vision by means of a needle: now rarely practised."—M.]

December, 1469.* The Barcelonians were thrown into the greatest consternation by his death, imputed, as usual, though without apparent foundation, to poison; and their respect for his memory was attested by the honors no less than royal which they paid to his remains. His body, sumptuously attired, with his victorious sword by his side, was paraded in solemn procession through the illuminated streets of the city, and, after lying nine days in state, was deposited, amid the lamentations of the people, in the sepulchre of the sovereigns of Catalonia.[50]

As the father of the deceased prince was too old, and his children too young, to give effectual aid to their cause, the Catalans might be now said to be again without a leader. But their spirit was unbroken, and with the same resolution in which they refused submission more than two centuries after, in 1714, when the combined forces of France and Spain were at the gates of the capital, they rejected the conciliatory advances made them anew by John. That monarch, however, having succeeded by extraordinary efforts in assembling a

[50] Villeneuve Bargemont, Hist. de René, tom. ii. pp. 182, 333, 334. —L. Marineo, Cosas memorables, fol. 142.—Alonso de Palencia, Corónica, part. 2, cap. 39.—Zurita, Anales, tom. iv. fol. 178.—According to M. de Villeneuve Bargemont, the princess Isabella's hand had been offered to the duke of Lorraine, and the envoy despatched to notify his acceptance of it, on arriving at the court of Castile, received from the lips of Henry IV. the first tidings of his master's death (tom. ii. p. 184). He must have learned too with no less surprise that Isabella had already been married at that time more than a year! See the date of the official marriage recorded in Mem. de la Acad. de Hist., tom. vi. Apend. no. 4.

* [This date should be 1470. See Zurita, Anales, tom. iv. fol. 178, recto, and Lenglet, Mém. de Comines, Preuves, tom. iv. p. 384.—K.]

competent force, was proceeding with his usual alacrity in the reduction of such places in the eastern quarter of Catalonia as had revolted to the enemy, while at the same time he instituted a rigorous blockade of Barcelona by sea and land. The fortifications were strong, and the king was unwilling to expose so fair a city to the devastating horrors of a storm. The inhabitants made one vigorous effort in a sally against the royal forces; but the civic militia were soon broken, and the loss of four thousand men, killed and prisoners, admonished them of their inability to cope with the veterans of Aragon.[51]

At length, reduced to the last extremity, they consented to enter into negotiations, which were concluded by a treaty equally honorable to both parties. It was stipulated that Barcelona should retain all its ancient privileges and rights of jurisdiction, and, with some exceptions, its large territorial possessions. A general amnesty was to be granted for offences. The foreign mercenaries were to be allowed to depart in safety; and such of the natives as should refuse to renew their allegiance to their ancient sovereign within a year might have the liberty of removing with their effects wherever they would. One provision may be thought somewhat singular, after what had occurred; it was agreed that the king should cause the Barcelonians to be publicly proclaimed, throughout all his dominions, good, faith-

[51] Alonso de Palencia, Corónica, MS., part. 2, cap. 29, 45.—Zurita, Anales, tom. iv. fol. 180–183.—Abarca, Reyes de Aragon, rey 29, cap. 29.

ful, and loyal subjects; which was accordingly done!

The king, after the adjustment of the preliminaries, "declining," says a contemporary, "the triumphal car which had been prepared for him, made his entrance into the city by the gate of St. Antony, mounted on a white charger; and, as he rode along the principal streets, the sight of so many pallid countenances and emaciated figures, bespeaking the extremity of famine, smote his heart with sorrow." He then proceeded to the hall of the great palace, and on the 22d of December, 1472, solemnly swore there to respect the constitution and laws of Catalonia.[52]

Thus ended this long, disastrous civil war, the fruit of parental injustice and oppression, which had nearly cost the king of Aragon the fairest portion of his dominions; which devoted to disquietude and disappointment more than ten years of life, at a period when repose is most grateful; and which opened the way to foreign wars, that continued to hang like a dark cloud over the evening of his days. It was attended, however, with one important result; that of establishing Ferdinand's succession over the whole of the domains of his ancestors.

[52] L. Marineo, Cosas memorables, fol. 144, 147.—Zurita, Anales, tom. iv. fol. 187, 188.—Alonso de Palencia, Corónica, MS., part. 2, cap. 1.

CHAPTER III

REIGN OF HENRY IV. OF CASTILE—CIVIL WAR—MARRIAGE OF FERDINAND AND ISABELLA

1454–1469

Henry IV. disappoints Expectations—Oppression of the People—League of the Nobles—Extraordinary Scene at Avila—Early Education of Isabella—Death of her Brother Alfonso—Intestine Anarchy—The Crown offered to Isabella—She declines it—Her Suitors—She accepts Ferdinand of Aragon—Marriage Articles—Critical Situation of Isabella—Ferdinand enters Castile—Their Marriage

WHILE these stormy events were occurring in Aragon, the Infanta Isabella, whose birth was mentioned at the close of the first chapter, was passing her youth amidst scenes scarcely less tumultuous. At the date of her birth, her prospect of succeeding to the throne of her ancestors was even more remote than Ferdinand's prospect of inheriting that of his; and it is interesting to observe through what trials, and by what a series of remarkable events, Providence was pleased to bring about this result, and through it the union, so long deferred, of the great Spanish monarchies.

The accession of her elder brother, Henry the Fourth, was welcomed with an enthusiasm proportioned to the disgust which had been excited by the long-protracted and imbecile reign of his

predecessor. Some few, indeed, who looked back to the time when he was arrayed in arms against his father, distrusted the soundness either of his principles or of his judgment. But far the larger portion of the nation was disposed to refer this to inexperience, or the ebullition of youthful spirit, and indulged the cheering anticipations which are usually entertained of a new reign and a young monarch.[1] Henry was distinguished by a benign temper, and by a condescension, which might be called familiarity, in his intercourse with his inferiors, virtues peculiarly engaging in persons of his elevated station; and as vices which wear the gloss of youth are not only pardoned, but are oftentimes popular with the vulgar, the reckless extravagance in which he indulged himself was favorably contrasted with the severe parsimony of his father in his latter years, and gained him the surname of "the Liberal." His treasurer having remonstrated with him on the prodigality of his expenditure, he replied, "Kings, instead of hoarding treasure like private persons, are bound to dispense it for the happiness of their subjects. We must give to our enemies to make them friends, and to our friends to keep them so." He suited the action so well to the word, that in a few years there was scarcely a *maravedi* remaining in the royal coffers.[2]

[1] "Nil pudet assuetos sceptris: mitissima sors est
Regnorum sub rege novo."
Lucan, Pharsalia, lib. 8.

[2] Oviedo, Quincuagenas, MS., bat. 1, quinc. 1, dial. 8.—Rodericus Sanctius, Historia Hispanica, cap. 38, 39.—Pulgar, Claros Varones, tit. 1.—Castillo, Crónica, i. 20.—Guzman, Generaciones, cap. 33.—Although Henry's lavish expenditure, particularly on works of archi-

He maintained greater state than was usual with the monarchs of Castile, keeping in pay a body-guard of thirty-six hundred lances, splendidly equipped, and officered by the sons of the nobility. He proclaimed a crusade against the Moors, a measure always popular in Castile, assuming the pomegranate branch, the device of Granada, on his escutcheon, in token of his intention to extirpate the Moslems from the Peninsula. He assembled the chivalry of the remote provinces; and, in the early part of his reign, scarce a year elapsed without one or more incursions into the hostile territory, with armies of thirty or forty thousand men. The results did not correspond with the magnificence of the apparatus; and these brilliant expeditions too often evaporated in a mere border foray, or in an empty gasconade under the walls of Granada. Orchards were cut down, harvests plundered, villages burnt to the ground, and all the other modes of annoyance peculiar to this barbarous warfare put in practice by the invading armies, as they swept over the face of the country; individual feats of prowess, too, commemorated in the romantic ballads of the time, were achieved; but no victory was gained, no important post acquired. The king in vain excused his hasty retreats and abortive enterprises, by saying that "he prized the life of one of his soldiers more than those of a thousand Mussulmans." His troops murmured at this timorous policy; and the

tecture, gained him in early life the appellation of "the Liberal," he is better known on the roll of Castilian sovereigns by the less flattering title of "the Impotent."

AFTER THE VICTORY

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VALLE DE ARGOMA

tecture, gained him in early life the appellation of "the Liberal," he is better known on the roll of Castilian sovereigns by the less flattering title of "the Impotent."

Goupil & Cº, Paris.

people of the south, on whom the charges of the expeditions fell with peculiar heaviness, from their neighborhood to the scene of operations, complained that "the war was carried on against them, not against the infidel." On one occasion an attempt was made to detain the king's person, and thus prevent him from disbanding his forces. So soon had the royal authority fallen into contempt! The king of Granada himself, when summoned to pay tribute after a series of these ineffectual operations, replied that, "in the first years of Henry's reign, he would have offered anything, even his children, to preserve peace to his dominions; but now he would give nothing." [3]

The contempt to which the king exposed himself by his public conduct was still further heightened by his domestic. With even a greater indisposition to business than was manifested by his father,[4] he possessed none of the cultivated tastes which were the redeeming qualities of the latter. Having been addicted from his earliest youth to debauchery, when he had lost the powers he retained all the relish for the brutish pleasures of a voluptuary. He had repudiated his wife, Blanche, of Aragon, after a union of twelve years, on grounds suffi-

[3] Zuñiga, Anales eclesiásticos y seculares de Sevilla, p. 344.—Castillo, Crónica, cap. 20.—Mariana, Hist. de España, tom. ii. pp. 415, 419.—Alonso de Palencia, Corónica, MS., part. 1, cap. 14 et seq.—The surprise of Gibraltar, the unhappy source of feud between the families of Guzman and Ponce de Leon, did not occur till a later period, 1462.

[4] Such was his apathy, says Mariana, that he would subscribe his name to public ordinances without taking the trouble to acquaint himself with their contents. Hist. de España, tom. ii. p. 423.

ciently ridiculous and humiliating.[5] In 1455, he espoused Joanna, a Portuguese princess, sister of Alfonso the Fifth, the reigning monarch. This lady, then in the bloom of youth, was possessed of personal graces and a lively wit, which, say the historians, made her the delight of the court of Portugal. She was accompanied by a brilliant train of maidens, and her entrance into Castile was greeted by the festivities and military pageants which belong to an age of chivalry. The light and lively manners of the young queen, however, which seemed to defy the formal etiquette of the Castilian court, gave occasion to the grossest suspicions. The tongue of scandal indicated Beltran de la Cueva, one of the handsomest cavaliers in the kingdom, and then newly risen in the royal graces, as the person to whom she most liberally dispensed her favors. This knight defended a passage of arms, in presence of the court, near Madrid, in which he maintained the superior beauty of his mistress, against all comers. The king was so much delighted with his prowess that he commemorated the event by the erection of a monastery dedicated to St. Jerome; a whimsical origin for a religious institution.[6]

[5] Pulgar, Crónica, de los Reyes Católicos (Valencia, 1780), cap. 2. —Alonso de Palencia, Corónica, MS., part. 1, cap. 4.—Aleson, Anales de Navarra, tom. iv. pp. 519, 520.—The marriage between Blanche and Henry was publicly declared void by the bishop of Segovia, confirmed by the archbishop of Toledo, "por *impotencia respectiva*, owing to some malign influence"!

[6] La Clède, Hist. de Portugal, tom. iii. pp. 325, 345.—Florez, Reynas Cathólicas, tom. ii. pp. 763, 766.—Alonso de Palencia, Corónica, MS., part. 1, cap. 20, 21.—It does not appear, however, whom Beltran de la Cueva indicated as the lady of his love on this occasion. (See Castillo, Crónica, cap. 23, 24.) Two anecdotes may be

The queen's levity might have sought some justification in the unveiled licentiousness of her husband. One of the maids of honor, whom she brought in her train, acquired an ascendency over Henry which he did not attempt to disguise; and the palace, after the exhibition of the most disgraceful scenes, became divided by the factions of the hostile fair ones. The archbishop of Seville did not blush to espouse the cause of the paramour, who maintained a magnificence of state which rivalled that of royalty itself. The public were still more scandalized by Henry's sacrilegious intrusion of another of his mistresses into the post of abbess of a convent in Toledo, after the expulsion of her predecessor, a lady of noble rank and irreproachable character.[7]

The stream of corruption soon finds its way from the higher to the more humble walks of life. The middling classes, imitating their superiors, indulged in an excess of luxury equally demoralizing, and ruinous to their fortunes. The contagion of example infected even the higher ecclesiastics; and we find the archbishop of St. James hunted from his see by the indignant populace, in consequence of an outrage attempted on a youthful

mentioned as characteristic of the gallantry of the times. The archbishop of Seville concluded a superb *fête*, given in honor of the royal nuptials, by introducing on the table two vases filled with rings garnished with precious stones, to be distributed among his female guests. At a ball given on another occasion, the young queen having condescended to dance with the French ambassador, the latter made a solemn vow, in commemoration of so distinguished an honor, never to dance with any other woman.

[7] Alonso de Palencia, Corónica, MS., cap. 42, 47.—Castillo, Crónica, cap. 23.

bride as she was returning from church after the performance of the nuptial ceremony. The rights of the people could be but little consulted, or cared for, in a court thus abandoned to unbounded license. Accordingly we find a repetition of most of the unconstitutional and oppressive acts which occurred under John the Second of Castile,—attempts at arbitrary taxation, interference in the freedom of elections, and in the right exercised by the cities of nominating the commanders of such contingents of troops as they might contribute to the public defence. Their territories were repeatedly alienated, and, as well as the immense sums raised by the sale of papal indulgences for the prosecution of the Moorish war, were lavished on the royal satellites.[8]

But perhaps the most crying evil of this period was the shameless adulteration of the coin. Instead of five royal mints, which formerly existed, there were now one hundred and fifty in the hands of authorized individuals, who debased the coin to such a deplorable extent that the most common

[8] Alonso de Palencia, Corónica, MS., cap. 35.—Sempere, Hist. del Luxo, tom. i. p. 183.—Idem, Hist. des Cortès, ch. 19.—Marina, Teoría, part. 1, cap. 20,—part. 2, pp. 390, 391.—Zuñiga, Anales de Sevilla, pp. 346, 349.—The papal bulls of crusade issued on these occasions, says Palencia, contained among other indulgences an exemption from the pains and penalties of purgatory, assuring to the soul of the purchaser, after death, an immediate translation into a state of glory. Some of the more orthodox casuists doubted the validity of such a bull. But it was decided, after due examination, that, as the holy father possessed plenary power of absolution of all offences committed upon earth, and as purgatory is situated upon earth, it properly fell within his jurisdiction. (cap. 32.) Bulls of crusade were sold at the rate of 200 maravedis each; and it is computed by the same historian that no less than 4,000,000 maravedis were amassed by this traffic in Castile in the space of four years!

articles of life were enhanced in value three, four, and even six fold. Those who owed debts eagerly anticipated the season of payment; and, as the creditors refused to accept it in the depreciated currency, it became a fruitful source of litigation and tumult, until the whole nation seemed on the verge of bankruptcy. In this general license, the right of the strongest was the only one which could make itself heard. The nobles, converting their castles into dens of robbers, plundered the property of the traveller, which was afterwards sold publicly in the cities. One of these robber chieftains, who held an important command on the frontiers of Murcia, was in the habit of carrying on an infamous traffic with the Moors by selling to them as slaves the Christian prisoners, of either sex, whom he had captured in his marauding expeditions. When subdued by Henry, after a sturdy resistance, he was again received into favor, and reinstated in his possessions.[9] The pusillanimous monarch knew neither when to pardon nor when to punish.

But no part of Henry's conduct gave such umbrage to his nobles as the facility with which he resigned himself to the control of favorites, whom he had created as it were from nothing, and whom he advanced over the heads of the ancient aristocracy of the land. Among those especially disgusted by this proceeding were Juan Pacheco, marquis of Villena, and Alfonso Carillo, archbishop of Toledo. These two personages exercised

[9] Saez, Monedas de Enrique IV. (Madrid, 1805), pp. 2–5.—Alonso de Palencia, Corónica, MS., cap. 36, 39.—Castillo, Crónica, cap. 19.

so important an influence over the destinies of Henry as to deserve more particular notice. The former was of noble Portuguese extraction, and originally a page in the service of the constable Alvaro de Luna, by whom he had been introduced into the household of Prince Henry during the lifetime of John the Second. His polished and plausible address soon acquired him a complete ascendency over the feeble mind of his master, who was guided by his pernicious counsels in his frequent dissensions with his father. His invention was ever busy in devising intrigues, which he recommended by his subtile, insinuating eloquence; and he seemed to prefer the attainment of his purposes by a crooked rather than by a direct policy, even when the latter might equally well have answered. He sustained reverses with imperturbable composure; and, when his schemes were most successful, he was willing to risk all for the excitement of a new revolution. Although naturally humane, and without violent or revengeful passions, his restless spirit was perpetually involving his country in all the disasters of civil war. He was created marquis of Villena by John the Second; and his ample domains, lying on the confines of Toledo, Murcia, and Valencia, and embracing an immense extent of populous and well-fortified territory, made him the most powerful vassal in the kingdom.[10]

[10] Pulgar, Claros Varones, tit. 6.—Castillo, Crónica, cap. 15.—Mendoza, Monarquía de España, tom. i. p. 328.—The ancient marquisate of Villena, having been incorporated into the crown of Castile, devolved to Prince Henry of Aragon, on his marriage with the daughter of John II. It was subsequently confiscated by that monarch,

His uncle, the archbishop of Toledo, was of a sterner character. He was one of those turbulent prelates, not unfrequent in a rude age, who seem intended by nature for the camp rather than the church. He was fierce, haughty, intractable; and he was supported in the execution of his ambitious enterprises no less by his undaunted resolution than by the extraordinary resources which he enjoyed as primate of Spain. He was capable of warm attachments, and of making great personal sacrifices for his friends, from whom, in return, he exacted the most implicit deference; and, as he was both easily offended and implacable in his resentments, he seems to have been almost equally formidable as a friend and as an enemy.[11]

These early adherents of Henry, little satisfied with seeing their own consequence eclipsed by the rising glories of the newly-created favorites, began secretly to stir up cabals and confederacies among the nobles, until the occurrence of other circumstances obviated the necessity, and indeed the possibility, of further dissimulation. Henry had been persuaded to take part in the internal dissensions which then agitated the kingdom of Aragon, and had supported the Catalans in their opposition to their sovereign by seasonable supplies of men and money. He had even made some considerable

in consequence of the repeated rebellions of Prince Henry; and the title, together with a large proportion of the domains originally attached to it, was conferred on Don Juan Pachecc, by whom it was transmitted to his son, afterwards raised to the rank of duke of Escalona, in the reign of Isabella. Salazar de Mendoza, Dignidades de Castilla y Leon, lib. 3, cap. 12, 17.

[11] Pulgar, Claros Varones, tit. 20.—Bernaldez, Reyes Católicos, MS., cap. 10, 11.

conquests for himself, when he was induced, by the advice of the marquis of Villena and the archbishop of Toledo, to refer the arbitration of his differences with the king of Aragon to Louis the Eleventh of France, a monarch whose habitual policy allowed him to refuse no opportunity of interference in the concerns of his neighbors.

The conferences were conducted at Bayonne, and an interview was subsequently agreed on between the kings of France and Castile, to be held near that city, on the banks of the Bidassoa, which divides the dominions of the respective monarchs. The contrast exhibited by the two princes at this interview, in their style of dress and equipage, was sufficiently striking to deserve notice. Louis, who was even worse attired than usual, according to Comines, wore a coat of coarse woollen cloth cut short, a fashion then deemed very unsuitable to persons of rank, with a doublet of fustian, and a weather-beaten hat, surmounted by a little leaden image of the Virgin. His imitative courtiers adopted a similar costume. The Castilians, on the other hand, displayed uncommon magnificence. The barge of the royal favorite, Beltran de la Cueva, was resplendent with sails of cloth of gold, and his apparel glittered with a profusion of costly jewels. Henry was escorted by his Moorish guard gorgeously equipped, and the cavaliers of his train vied with each other in the sumptuous decorations of dress and equipage. The two nations appear to have been mutually disgusted with the contrast exhibited by their opposite affectations. The French sneered at the ostentation of the Span-

iards, and the latter, in their turn, derided the sordid parsimony of their neighbors; and thus the seeds of a national aversion were implanted, which, under the influence of more important circumstances, ripened into open hostility.[12]

The monarchs seem to have separated with as little esteem for each other as did their respective courtiers; and Comines profits by the occasion to inculcate the inexpediency of such interviews between princes who have exchanged the careless jollity of youth for the cold and calculating policy of riper years. The award of Louis dissatisfied all parties; a tolerable proof of its impartiality. The Castilians, in particular, complained that the marquis of Villena and the archbishop of Toledo had compromised the honor of the nation, by allowing their sovereign to cross over to the French shore of the Bidassoa, and its interests, by the cession of the conquered territory to Aragon. They loudly accused them of being pensioners of Louis,—a fact which does not appear improbable, considering the usual policy of this prince, who, as is well known, maintained an espionage over the councils of most of his neighbors. Henry was so far convinced of the truth of these imputations, that he dismissed the obnoxious ministers from their employments.[13]

[12] At least these are the important consequences imputed to this interview by the French writers. See Gaillard, Rivalité, tom. iii. pp. 241–243.—Comines, Mémoires, liv. 2, chap. 8.—Also Castillo, Crónica, cap. 48, 49.—Zurita, Anales, lib. 17, cap. 50.

[13] Ferreras, Hist. d'Espagne, tom. ii. p. 122.—Zurita, Anales, lib. 17, cap. 56.—Castillo, Crónica, cap. 51, 52, 58.—The queen of Aragon, who was as skilful a diplomatist as her husband, John I., assailed the vanity of Villena quite as much as his interest. On one of his

The disgraced nobles instantly set about the organization of one of those formidable confederacies, which had so often shaken the monarchs of Castile upon their throne, and which, although not authorized by positive law, as in Aragon, seem to have derived somewhat of a constitutional sanction from ancient usage. Some of the members of this coalition were doubtless influenced exclusively by personal jealousies; but many others entered into it from disgust at the imbecile and arbitrary proceedings of the crown.

In 1462, the queen had been delivered of a daughter, who was named like herself Joanna, but who, from her reputed father, Beltran de la Cueva, was better known in the progress of her unfortunate history by the cognomen of Beltraneja. Henry, however, had required the usual oath of allegiance to be tendered to her as presumptive heir to the crown. The confederates, assembled at Burgos, declared this oath of fealty a compulsory act, and that many of them had privately protested against it at the time, from a conviction of the illegitimacy of Joanna. In the bill of grievances which they now presented to the monarch, they required that he should deliver his brother Alfonso into their hands, to be publicly acknowledged as his successor; they enumerated the manifold abuses which pervaded every department of government, which they freely imputed to the unwholesome influence exercised by the favorite,

missions to her court, she invited him to dine with her *tête-à-tête* at her own table, while during the repast they were served by the ladies of the palace. Ibid., cap. 40.

Beltran de la Cueva, over the royal counsels, doubtless the true key to much of their patriotic sensibility; and they entered into a covenant, sanctioned by all the solemnities of religion usual on these occasions, not to re-enter the service of their sovereign, or accept any favor from him, until he had redressed their wrongs.[14]

The king, who by an efficient policy might perhaps have crushed these revolutionary movements in their birth, was naturally averse to violent, or even vigorous, measures. He replied to the bishop of Cuenca, his ancient preceptor, who recommended these measures, "You priests, who are not called to engage in the fight, are very liberal of the blood of others." To which the prelate rejoined, with more warmth than breeding, "Since you are not true to your own honor at a time like this, I shall live to see you the most degraded monarch in Spain; when you will repent too late this unseasonable pusillanimity."[15]

Henry, unmoved either by the entreaties or remonstrances of his adherents, resorted to the milder method of negotiation. He consented to an interview with the confederates, in which he was induced, by the plausible arguments of the marquis of Villena, to comply with most of their demands. He delivered his brother Alfonso into their hands, to be recognized as the lawful heir to

[14] See the memorial presented to the king, cited at length in Marina, Teoría, tom. iii. Apend. no. 7.—Castillo, Crónica, cap. 58, 64.—Zurita, Anales, lib. 17, cap. 56.—Lebrija, Hispanarum Rerum Ferdinando Rege et Elisabe Reginâ Gestarum decades (apud Granatam, 1545), lib. 1, cap. 1, 2.—Alonso de Palencia, Corónica, MS., part. 1, cap. 6.—Bernaldez, Reyes Católicos, MS., cap. 9.

[15] Castillo, Crónica, cap. 65.

the crown, on condition of his subsequent union with Joanna; and he agreed to nominate, in conjunction with his opponents, a commission of five, who should deliberate on the state of the kingdom, and provide an effectual reform of abuses.[16] The result of this deliberation, however, proved so prejudicial to the royal authority, that the feeble monarch was easily persuaded to disavow the proceedings of the commissioners, on the ground of their secret collusion with his enemies, and even to attempt the seizure of their persons. The confederates, disgusted with this breach of faith, and in pursuance, perhaps, of their original design, instantly decided on the execution of that bold measure which some writers denounce as a flagrant act of rebellion, and others vindicate as a just and constitutional proceeding.

In an open plain, not far from the city of Avila, they caused a scaffold to be erected, of sufficient elevation to be easily seen from the surrounding country. A chair of state was placed on it, and in this was seated an effigy of King Henry, clad in sable robes and adorned with all the insignia of royalty, a sword at its side, a sceptre in its hand, and a crown upon its head. A manifesto was then read, exhibiting in glowing colors the tyrannical conduct of the king, and the consequent determination to depose him; and vindicating the proceeding by several precedents drawn from the history of the monarchy. The archbishop of Toledo

[16] See copies from the original instruments, which are still preserved in the archives of the house of Villena, in Marina, Teoría, tom. iii. part. 2, Ap. 6, 8.—Castillo, Crónica, cap. 66, 67.—Alonso de Palencia, Corónica, MS., part. 1, cap. 57.

then, ascending the platform, tore the diadem from the head of the statue; the marquis of Villena removed the sceptre, the count of Placencia the sword, the grand master of Alcantara and the counts of Benavente and Paredes the rest of the regal insignia; when the image, thus despoiled of its honors, was rolled in the dust, amid the mingled groans and clamors of the spectators. The young prince Alfonso, at that time only eleven year of age, was seated on the vacant throne, and the assembled grandees severally kissed his hand in token of their homage; the trumpets announced the completion of the ceremony, and the populace greeted with joyful acclamations the accession of their new sovereign.[17] (1465.)

Such are the details of this extraordinary transaction, as recorded by the two contemporary historians of the rival factions. The tidings were borne, with the usual celerity of evil news, to the remotest parts of the kingdom. The pulpit and the forum resounded with the debates of disputants, who denied, or defended, the right of the subject to sit in judgment on the conduct of his sovereign. Every man was compelled to choose his side in this strange division of the kingdom. Henry received intelligence of the defection, successively, of the capital cities of Burgos, Toledo, Cordova, Seville, together with a large part of the southern provinces, where lay the estates of some of the most powerful partisans of the opposite

[17] Alonso de Palencia, Corónica, MS., part. 1, cap. 62.—Castillo, Crónica, cap. 68, 69, 74.

faction. The unfortunate monarch, thus deserted by his subjects, abandoned himself to despair, and expressed the extremity of his anguish in the strong language of Job: "Naked came I from my mother's womb, and naked must I go down to the earth!" [18]

A large—probably the larger—part of the nation, however, disapproved of the tumultuous proceedings of the confederates. However much they contemned the person of the monarch, they were not prepared to see the royal authority thus openly degraded. They indulged, too, some compassion for a prince whose political vices, at least, were imputable to mental incapacity, and to evil counsellors, rather than to any natural turpitude of heart. Among the nobles who adhered to him, the most conspicuous were "the good count of Haro," and the powerful family of Mendoza, the worthy scions of an illustrious stock. The estates of the marquis of Santillana, the head of this house, lay chiefly in the Asturias, and gave him a considerable influence in the northern provinces,[19]

[18] Alonso de Palencia, Corónica, MS., part. 1, cap. 63, 70.—Castillo, Crónica, cap. 75, 76.

[19] The celebrated marquis of Santillana died in 1458, at the age of sixty. (Sanchez, Poesías Castellanas, tom. i. p. 23.) The title descended to his eldest son, Diego Hurtado de Mendoza, who is represented by his contemporaries to have been worthy of his sire. Like him, he was imbued with a love of letters; he was conspicuous for his magnanimity and chivalrous honor, his moderation, constancy, and uniform loyalty to his sovereign,—virtues of rare worth in those rapacious and turbulent times. (Pulgar, Claros Varones, tit. 9.) Ferdinand and Isabella created him duke del Infantado. This domain derives its name from its having been once the patrimony of the *infantes* of Castile. See Salazar de Mendoza, Monarquía, tom. i. p. 219,—and Dignidades de Castilla, lib. 3, cap. 17.—Oviedo, Quincuagenas, MS., bat. 1, quinc. 1, dial. 8.

the majority of whose inhabitants remained constant in their attachment to the royal cause.

When Henry's summons, therefore, was issued for the attendance of all his loyal subjects capable of bearing arms, it was answered by a formidable array of numbers, that must have greatly exceeded that of his rival, and which is swelled by his biographer to seventy thousand foot and fourteen thousand horse; a much smaller force, under the direction of an efficient leader, would doubtless have sufficed to extinguish the rising spirit of revolt. But Henry's temper led him to adopt a more conciliatory policy, and to try what could be effected by negotiation, before resorting to arms. In the former, however, he was no match for the confederates, or rather the marquis of Villena, their representative on these occasions. This nobleman, who had so zealously co-operated with his party in conferring the title of king on Alfonso, had intended to reserve the authority to himself. He probably found more difficulty in controlling the operations of the jealous and aspiring aristocracy, with whom he was associated, than he had imagined; and he was willing to aid the opposite party in maintaining a sufficient degree of strength to form a counterpoise to that of the confederates, and thus, while he made his own services the more necessary to the latter, to provide a safe retreat for himself, in case of the shipwreck of their fortunes.[20]

In conformity with this dubious policy, he had,

[20] Alonso de Palencia, Corónica, MS., part. 1, cap. 64.—Castillo, Crónica, cap. 78.

soon after the occurrence at Avila, opened a secret correspondence with his former master, and suggested to him the idea of terminating their differences by some amicable adjustment. In consequence of these intimations, Henry consented to enter into a negotiation with the confederates; and it was agreed that the forces on both sides should be disbanded, and that a suspension of hostilities for six months should take place, during which some definitive and permanent scheme of reconciliation might be devised. Henry, in compliance with this arrangement, instantly disbanded his levies; they retired overwhelmed with indignation at the conduct of their sovereign, who so readily relinquished the only means of redress that he possessed, and whom they now saw it would be unavailing to assist, since he was so ready to desert himself.[21]

It would be an unprofitable task to attempt to unravel all the fine-spun intrigues by which the marquis of Villena contrived to defeat every attempt at an ultimate accommodation between the parties, until he was very generally execrated as the real source of the disturbances in the kingdom. In the mean while, the singular spectacle was exhibited of two monarchs presiding over one nation, surrounded by their respective courts, administering the laws, convoking cortes, and in fine assuming the state and exercising all the functions of sovereignty. It was apparent that this state of things could not last long, and that the political ferment which now agitated the minds of men

[21] Castillo, Crónica, cap. 80, 82.

from one extremity of the kingdom to the other, and which occasionally displayed itself in tumults and acts of violence, would soon burst forth with all the horrors of a civil war.

At this juncture, a proposition was made to Henry for detaching the powerful family of Pacheco from the interests of the confederates, by the marriage of his sister Isabella with the brother of the marquis of Villena, Don Pedro Giron, grand master of the order of Calatrava, a nobleman of aspiring views, and one of the most active partisans of his faction. The archbishop of Toledo would naturally follow the fortunes of his nephew, and thus the league, deprived of its principal supports, must soon crumble to pieces. Instead of resenting this proposal as an affront upon his honor, the abject mind of Henry was content to purchase repose even by the most humiliating sacrifice. He acceded to the conditions; application was made to Rome for a dispensation from the vows of celibacy imposed on the grand master as the companion of a religious order, and splendid preparations were instantly commenced for the approaching nuptials.[22]

Isabella was then in her sixteenth year. On her father's death, she retired with her mother to the little town of Arevalo, where, in seclusion, and far from the voice of flattery and falsehood, she had been permitted to unfold the natural graces of mind and person, which might have been blighted

[22] Rades y Andrada, Chrónica de las tres Ordenes y Cavallerías (Toledo, 1572), fol. 76.—Castillo, Crónica, cap. 85.—Alonso de Palencia, Corónica, MS., part. 1, cap. 73.

in the pestilent atmosphere of a court. Here, under the maternal eye, she was carefully instructed in those lessons of practical piety, and in the deep reverence for religion, which distinguished her maturer years. On the birth of the princess Joanna, she was removed, together with her brother Alfonso, by Henry to the royal palace, in order more effectually to discourage the formation of any faction adverse to the interests of his supposed daughter. In this abode of pleasure, surrounded by all the seductions most dazzling to youth, she did not forget the early lessons that she had imbibed; and the blameless purity of her conduct shone with additional lustre amid the scenes of levity and licentiousness by which she was surrounded.[23]

The near connection of Isabella with the crown, as well as her personal character, invited the application of numerous suitors. Her hand was first solicited for that very Ferdinand who was destined to be her future husband, though not till after the intervention of many inauspicious circumstances. She was next betrothed to his elder brother, Carlos, and some years after his decease, when thirteen years of age, was promised by Henry to Alfonso of Portugal. Isabella was present with her brother at a personal interview with that monarch in 1464, but neither threats nor entreaties could induce her to accede to a union so unsuitable from the disparity of their years; and with her characteristic discretion, even at this early age, she

[23] L. Marineo, Cosas memorables, fol. 154.—Florez, Reynas Cathólicas, tom. ii. p. 789.—Castillo, Crónica, cap. 37.

rested her refusal on the ground that "the infantas of Castile could not be disposed of in marriage without the consent of the nobles of the realm." [24]

When Isabella understood in what manner she was now to be sacrificed to the selfish policy of her brother, in the prosecution of which compulsory measures, if necessary, were to be employed, she was filled with the liveliest emotions of grief and resentment. The master of Calatrava was well known as a fierce and turbulent leader of faction, and his private life was stained with most of the licentious vices of the age. He was even accused of having invaded the privacy of the queen dowager, Isabella's mother, by proposals of the most degrading nature,—an outrage which the king had either not the power or not the inclination to resent.[25] With this person, then, so inferior to her in birth, and so much more unworthy of her in every other point of view, Isabella was now to be united. On receiving the intelligence, she confined herself to her apartment, abstaining from all nourishment and sleep for a day and night, says a contemporary writer, and imploring Heaven, in the most piteous manner, to save her from this dishonor by her own death or that of her enemy. As she was bewailing her hard fate to her faithful friend, Beatriz de Bobadilla, "God will not permit it," exclaimed the high-spirited lady, "neither will

[24] Aleson, Anales de Navarra, tom. iv. pp. 561, 562.—Zurita, Anales, lib. 16, cap. 46,—lib. 17, cap. 3.—Castillo, Crónica, cap. 31, 57.—Alonso de Palencia, Corónica, MS., cap. 55.

[25] Decad. de Palencia, apud Mem. de la Acad. de Hist., tom. vi. p. 65, nota.

I; " then, drawing forth a dagger from her bosom, which she kept there for the purpose, she solemnly vowed to plunge it in the heart of the master of Calatrava as soon as he appeared![26]

Happily her loyalty was not put to so severe a test. No sooner had the grand master received the bull of dispensation from the pope, than, resigning his dignities in his military order, he set about such sumptuous preparations for his wedding as were due to the rank of his intended bride. When these were completed, he began his journey from his residence at Almagro to Madrid, where the nuptial ceremony was to be performed, attended by a splendid retinue of friends and followers. But, on the very first evening after his departure, he was attacked by an acute disorder while at Villarubia, a village not far from Ciudad Real, which terminated his life in four days. He died, says Palencia, with imprecations on his lips, because his life had not been spared some few weeks longer.[27] His death was attributed by many to poison, administered to him by some of the nobles, who were envious of his good fortune. But, notwithstanding the seasonableness of the event, and the familiarity of the crime in that age, no shadow of impu-

[26] Alonso de Palencia, Corónica, MS., cap. 73.—Mariana, Hist. de España, tom. ii. p. 450.—Garibay, Compendio, tom. ii. p. 532.—This lady, Doña Beatriz Fernandez de Bobadilla, the most intimate personal friend of Isabella, will appear often in the course of our narrative. Gonzalo de Oviedo, who knew her well, describes her as "illustrating her generous lineage by her conduct, which was wise, virtuous, and valiant." (Quincuagenas, MS., dial. de Cabrera.) The last epithet, rather singular for a female character, was not unmerited.

[27] Palencia imputes his death to an attack of the quinsy. Corónica, MS., cap. 73.

tation was ever cast on the pure fame of Isabella.[28] (1466.)

The death of the grand master dissipated, at a blow, all the fine schemes of the marquis of Villena, as well as every hope of reconciliation between the parties. The passions which had been only smothered now burst forth into open hostility; and it was resolved to refer the decision of the question to the issue of a battle. The two armies met on the plains of Olmedo, where, two-and-twenty years before, John, the father of Henry, had been in like manner confronted by his insurgent subjects. The royal army was considerably the larger; but the deficiency of numbers in the other was amply supplied by the intrepid spirit of its leaders. The archbishop of Toledo appeared at the head of its squadrons, conspicuous by a rich scarlet mantle, embroidered with a white cross, thrown over his armor. The young prince Alfonso, scarcely fourteen years of age, rode by his side, clad like him in complete mail. Before the

[28] Rades y Andrada, Las tres Ordenes, fol. 77.—Caro de Torres, Historia de las Ordenes militares de Santiago, Calatrava y Alcantara (Madrid, 1629), lib. 2, cap. 59.—Castillo, Crónica, cap. 85.—Alonso de Palencia, Corónica, MS., cap. 73.—Gaillard remarks on this event, "Chacun crut sur cette mort ce qu'il voulut." And again in a few pages after, speaking of Isabella, he says, "On remarqua que tous ceux qui pouvoient faire obstacle à la satisfaction ou à la fortune d'Isabelle, mouroient toujours à propos pour elle." (Rivalité, tom. iii. pp. 280, 286.) This ingenious writer is fond of seasoning his style with those piquant sarcasms in which oftentimes more is meant than meets the ear, and which Voltaire rendered fashionable in history. I doubt, however, if, amid all the heats of controversy and faction, there is a single Spanish writer of that age, or indeed of any subsequent one, who has ventured to impute to the contrivance of Isabella any one of the fortunate coincidences to which the author alludes.

action commenced, the archbishop sent a message to Beltran de la Cueva, then raised to the title of duke of Albuquerque, cautioning him not to venture in the field, as no less than forty cavaliers had sworn his death. The gallant nobleman, who, on this as on some other occasions, displayed a magnanimity which in some degree excused the partiality of his master, returned by the envoy a particular description of the dress he intended to wear,—a chivalrous defiance which well-nigh cost him his life. Henry did not care to expose his person in the engagement, and, on receiving erroneous intelligence of the discomfiture of his party, retreated precipitately with some thirty or forty horsemen to the shelter of a neighboring village. The action lasted three hours, until the combatants were separated by the shades of evening, without either party having decidedly the advantage, although that of Henry retained possession of the field of battle. The archbishop of Toledo and Prince Alfonso were the last to retire; and the former was seen repeatedly to rally his broken squadrons, notwithstanding his arm had been pierced through with a lance early in the engagement. The king and the prelate may be thought to have exchanged characters in this tragedy.[29] (1467.)

The battle was attended with no result, except that of inspiring appetites which had tasted of blood with a relish for more unlicensed

[29] Lebrija, Rerum Gestarum Decades, lib. 1, cap. 2.—Zurita, Anales, lib. 18, cap. 10.—Castillo, Crónica, cap. 93, 97.—Alonso de Palencia, Corónica, MS., part. 1, cap. 80.

carnage. The most frightful anarchy now prevailed throughout the kingdom, dismembered by factions, which the extreme youth of one monarch and the imbecility of the other made it impossible to control. In vain did the papal legate, who had received a commission to that effect from his master, interpose his mediation, and even fulminate sentence of excommunication against the confederates. The independent barons plainly told him that "those who advised the pope that he had a right to interfere in the temporal concerns of Castile deceived him; and that they had a perfect right to depose their monarch on sufficient grounds, and should exercise it." [30]

Every city, nay, almost every family, became now divided within itself. In Seville and in Cordova, the inhabitants of one street carried on open war against those in another. The churches, which were fortified, and occupied with bodies of armed men, were many of them sacked and burnt to the ground. In Toledo no less than four thousand dwellings were consumed in one general conflagration. The ancient family feuds, as those between the great houses of Guzman and Ponce de Leon in Andalusia, being revived, carried new division into the cities, whose streets literally ran with blood.[31]

[30] Alonso de Palencia, Corónica, MS., cap. 82.

[31] Zuñiga, Anales de Sevilla, pp. 351, 352.—Carta del Levantamiento de Toledo, apud Castillo, Crónica, p. 109.—The historian of Seville has quoted an animated apostrophe addressed to the citizens by one of their number in this season of discord:

"Mezquina Sevilla en la sangre bañada
de los tus fijos, i tus cavalleros,
que fado enemigo te tiene minguada," etc.

The poem concludes with a summons to throw off the yoke of their oppressors:

In the country, the nobles and gentry, issuing from their castles, captured the defenceless traveller, who was obliged to redeem his liberty by the payment of a heavier ransom than was exacted even by the Mahometans. All communication on the highroads was suspended, and no man, says a contemporary, dared move abroad beyond the walls of his city, unless attended by an armed escort. The organization of one of those popular confederacies known under the name of *Hermandad,* in 1465, which continued in operation during the remainder of this gloomy period, brought some mitigation to these evils, by the fearlessness with which it exercised its functions, even against offenders of the highest rank, some of whose castles were razed to the ground by its orders. But this relief was only partial; and the successful opposition which the hermandad sometimes encountered on these occasions served to aggravate the horrors of the scene. Meanwhile, fearful omens, the usual accompaniments of such troubled times, were witnessed; the heated imagination interpreted the ordinary operations of nature as signs of celestial wrath;[32] and the minds of men were filled with dismal bodings of some inevitable evil, like that which overwhelmed the monarchy in the days of their Gothic ancestors.[33]

"Despierta Sevilla e sacude el imperio,
que faze a tus nobles tanto vituperio."
See Anales, p. 359.

[32] "Quod in pace fors, seu natura, tunc fatum et ira dei vocabatur," says Tacitus (Historiæ, lib. 4, cap. 26), adverting to a similar state of excitement.

[33] Saez quotes a MS. letter of a contemporary, exhibiting a frightful picture of these disorders. (Monedas de Enrique IV., p. 1, note.

At this crisis, a circumstance occurred which gave a new face to affairs, and totally disconcerted the operations of the confederates. This was the loss of their young leader, Alfonso, who was found dead in his bed, on the 5th of July, 1468, at the village of Cardeñosa, about two leagues from Avila, which had so recently been the theatre of his glory. His sudden death was imputed, in the usual suspicious temper of that corrupt age, to poison, supposed to have been conveyed to him in a trout on which he dined the day preceding. Others attributed it to the plague, which had followed in the train of evils that desolated this unhappy country. Thus at the age of fifteen, and after a brief reign, if reign it may be called, of three years, perished this young prince, who, under happier auspices and in maturer life, might have ruled over his country with a wisdom equal to that of any of its monarchs. Even in the disadvantageous position in which he had been placed, he gave clear indications of future excellence. A short time before his death, he was heard to remark, on witnessing the oppressive acts of some of the nobles, "I must endure this patiently until I am a little older." On another occasion, being solicited by the citizens of Toledo to approve of some act of extortion which they had committed, he replied, "God forbid I should countenance such injustice!" And on being told that the city, in that case, would probably transfer

—Castillo, Crónica, cap. 83, 87, et passim.—Mariana, Hist de España, tom. ii. p. 451.—Marina, Teoría, tom. ii. p. 487.—Alonso de Palencia, Corónica, MS., part. 1, cap. 69.) The active force kept on duty by the hermandad amounted to 3000 horse. Ibid., cap. 89, 90.

its allegiance to Henry, he added, "Much as I love power, I am not willing to purchase it at such a price." Noble sentiments, but not at all palatable to the grandees of his party, who saw with alarm that the young lion, when he had reached his strength, would be likely to burst the bonds with which they had enthralled him.[34]

It is not easy to consider the reign of Alfonso in any other light than that of a usurpation; although some Spanish writers, and among the rest Marina, a competent critic when not blinded by prejudice, regard him as a rightful sovereign, and as such to be enrolled among the monarchs of Castile.[35] Marina, indeed, admits the ceremony at Avila to have been originally the work of a faction, and in itself informal and unconstitutional; but he considers it to have received a legitimate sanction from its subsequent recognition by the people. But I do not find that the deposition of Henry the Fourth was ever confirmed by an act of cortes. He still continued to reign with the consent of a large portion, probably the majority, of his subjects; and it is evident that proceedings so irregular as those at Avila could have no pretence to constitutional validity, without a very general expression of approbation on the part of the nation.

The leaders of the confederates were thrown into consternation by an event which threatened to dissolve their league and to leave them exposed to

[34] Alonso de Palencia, Corónica, MS., cap. 87, 92.—Castillo, Crónica, cap. 94.—Garibay, Compendio, lib. 17, cap. 20.

[35] Marina, Teoría, part. 2, cap. 38.

the resentment of an offended sovereign. In this conjuncture, they naturally turned their eyes on Isabella, whose dignified and commanding character might counterbalance the disadvantages arising from the unsuitableness of her sex for so perilous a situation, and justify her election in the eyes of the people. She had continued in the family of Henry during the greater part of the civil war; until the occupation of Segovia by the insurgents, after the battle of Olmedo, enabled her to seek the protection of her younger brother Alfonso, to which she was the more inclined by her disgust with the license of a court where the love of pleasure scorned even the veil of hypocrisy. On the death of her brother, she withdrew to a monastery at Avila, where she was visited by the archbishop of Toledo, who, in behalf of the confederates, requested her to occupy the station lately filled by Alfonso, and allow herself to be proclaimed queen of Castile.[36]

Isabella discerned too clearly, however, the path of duty and probably of interest. She unhesitatingly refused the seductive proffer, and replied that, "while her brother Henry lived, none other had a right to the crown; that the country had been divided long enough under the rule of two contending monarchs; and that the death of Alfonso might perhaps be interpreted into an indication from Heaven of its disapprobation of their cause." She expressed herself desirous of estab-

[36] Lebrija, Rerum Gestarum Decades, lib. 1, cap. 3.—Alonso de Palencia, Corónica, MS., part. 1, cap. 92.—Florez, Reynas Cathólicas, tom. ii. p. 790.

lishing a reconciliation between the parties, and offered heartily to co-operate with her brother in the reformation of existing abuses. Neither the eloquence nor entreaties of the primate could move her from her purpose; and when a deputation from Seville announced to her that that city, in common with the rest of Andalusia, had unfurled its standards in her name and proclaimed her sovereign of Castile, she still persisted in the same wise and temperate policy.[37]

The confederates were not prepared for this magnanimous act from one so young, and in opposition to the advice of her most venerated counsellors. No alternative remained, however, but that of negotiating an accommodation on the best terms possible with Henry, whose facility of temper and love of repose naturally disposed him to an amicable adjustment of his differences. With these dispositions, a reconciliation was effected between the parties on the following conditions: namely, that a general amnesty should be granted by the king for all past offences; that the queen, whose dissolute conduct was admitted to be matter of notoriety, should be divorced from her husband and sent back to Portugal; that Isabella should have the principality of the Asturias (the usual demesne of the heir apparent to the crown) settled on her, together with a specific provision suitable to her rank; that she should be immediately recognized heir to the crowns of Castile and Leon; that

[37] Lebrija, Rerum Gestarum Decades, lib. 1, cap. 3.—Ferreras, Hist. d'Espagne, tom. vii. p. 218.—Alonso de Palencia, Corónica, part. 1, cap. 92,—part. 2, cap 5.

a cortes should be convoked within forty days for the purpose of bestowing a legal sanction in her title, as well as of reforming the various abuses of government; and, finally, that Isabella should not be constrained to marry in opposition to her own wishes, nor should she do so without the consent of her brother.[38]

In pursuance of these arrangements, an interview took place between Henry and Isabella, each attended by a brilliant cortége of cavaliers and nobles, at a place called Toros de Guisando,[39] in New Castile. (Sept. 9, 1468.) The monarch embraced his sister with the tenderest marks of affection, and then proceeded solemnly to recognize her as his future and rightful heir. An oath of allegiance was repeated by the attendant nobles, who concluded the ceremony by kissing the hand of the princess in token of their homage. In due time the representatives of the nation, convened in cortes at Ocaña, unanimously concurred in their approbation of these preliminary proceedings, and thus Isabella was announced to the world as the lawful successor to the crowns of Castile and Leon.[40]

[38] See a copy of the original compact cited at length by Marina, Teoría, Apend. no. 11.—Pulgar, Reyes Católicos, part. 1, cap. 2.

[39] So called from four bulls, sculptured in stone, discovered there, with Latin inscriptions thereon, indicating it to have been the site of one of Julius Cæsar's victories during the civil war. (Estrada, Poblacion general de España (Madrid, 1748), tom. i. p. 306.)—Galindez de Carbajal, a contemporary, fixes the date of this convention in August. Anales del Rey Fernando el Católico, MS., año 1468.

[40] Alonso de Palencia, Corónica, MS., part. 2, cap. 4.—Castillo, Crónica, cap. 118.—Mariana, Hist. de España, tom. ii. pp. 461, 462.—Pulgar, Reyes Católicos, part. 1, cap. 2.—Castillo affirms that Henry, incensed by his sister's refusal of the king of Portugal, dissolved the

It can hardly be believed that Henry was sincere in subscribing conditions so humiliating; nor can his easy and lethargic temper account for his so readily relinquishing the pretensions of the princess Joanna, whom, notwithstanding the popular imputations on her birth, he seems always to have cherished as his own offspring.* He was accused,

cortes at Ocaña before it had taken the oath of allegiance to her. (Crónica, cap. 127.) This assertion, however, is counterbalanced by the opposite one of Pulgar, a contemporary writer like himself. (Reyes Católicos, cap. 5.) And as Ferdinand and Isabella, in a letter addressed, after their marriage, to Henry IV., transcribed also by Castillo, allude incidentally to such a recognition as to a well-known fact, the balance of testimony must be admitted to be in favor of it. See Castillo, Crónica, cap. 114.

* [It is, however, asserted in a document dated November 27, 1470, that Henry had twice confessed the illegitimacy of Juana and taken a solemn oath to that effect. (See the Protest of Diego Ferrandes de Quiñones, conde de Luna, when summoned by Henry IV. to swear fealty to the princess Juana, Coleccion de Documentos inéditos para la Historia de España, tom. xiv.) This testimony is, perhaps, insufficient; but it is at least evident that, on the occasions referred to, Henry, by consenting to recognize first Alfonso, and subsequently Isabella, as rightful heir to the crown, abandoned the claims of Juana and gave an implied sanction to the popular belief in regard to her paternity. Such an act, if it sprang from mere weakness, would leave the historical question unsettled; but it certainly justified the action of the cortes and also the course of Isabella in asserting her right to the succession. Yet Bergenroth, in speaking of these events, says, "The history of this usurpation is one of the most disgraceful on record.† . . . Isabel branded the heiress to the throne with the disparaging name of *la Beltraneja,* forced her to flee, and seated herself on the throne of Castile." (Supplement to Volume I. and Volume II. of Letters, Despatches, and State Papers, Introduction, p. xxvii.) Isabella, however, was not the first to assert the illegitimacy of Juana, nor was the assertion originally made in

† [The part of the quotation from Bergenroth which Kirk omits is well worth attention. "The different parties entered, as it were, into a competition as to which would outdo the other in perjury, in gross calumny, and in treachery. In this competition Isabella, having entered into a formal compact with the clerical faction, under Alfonso Carrillo, archbishop of Toledo, was the winner."—M.]

even while actually signing the treaty, of a secret collusion with the marquis of Villena for the purpose of evading it,—an accusation which derives a plausible coloring from subsequent events.

The new and legitimate basis on which the pretensions of Isabella to the throne now rested drew the attention of neighboring princes, who contended with each other for the honor of her hand. Among these suitors was a brother of Edward the Fourth of England, not improbably Richard, duke of Gloucester, since Clarence was then engaged in his intrigues with the earl of Warwick, which led a few months later to his marriage with the daughter of that nobleman. Had she listened to his proposals, the duke would in all likelihood have exchanged his residence in England for Castile, where his ambition, satisfied with the certain reversion of a crown, might have been spared the commission of the catalogue of crimes which blackens his memory.[41]

[41] Isabella, who in a letter to Henry IV., dated Oct. 12th, 1469, adverts to these proposals of the English prince, as being under consideration at the time of the convention of Toros de Guisando, does not specify which of the brothers of Edward IV. was intended. (Castillo, Crónica, cap. 136.—Mr. Turner, in his History of England during the Middle Ages (London, 1825), quotes part of the address delivered by the Spanish envoy to Richard III., in 1483, in which the orator speaks of "the unkindness which his queen Isabella had

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her interest. On the contrary, it had given rise to a civil war at a time when she could take no part in the dispute and had no claim which could be affected by the decision. The claim which devolved upon her on the death of Alfonso was established, while she still remained passive, by a treaty to which the sovereign was a party and which was ratified by the representatives of the nation. How, then, can her assertion of it after Henry's death be considered an act of usurpation?—K.]

Another suitor was the duke of Guienne, the unfortunate brother of Louis the Eleventh, and at that time the presumptive heir of the French monarchy. Although the ancient intimacy which subsisted between the royal families of France and Castile in some measure favored his pretensions, the disadvantages resulting from such a union were too obvious to escape attention. The two countries were too remote from each other,[42] and their inhabitants too dissimilar in character and institutions, to permit the idea of their ever cordially coalescing as one people under a common sovereign. Should the duke of Guienne fail in the inheritance of the crown, it was argued, he would be every way an unequal match for the heiress of Castile; should he succeed to it, it might be feared that, in case of a union, the smaller kingdom would be considered only as an appendage, and sacrificed to the interests of the larger.[43]

The person on whom Isabella turned the most favorable eye was her kinsman Ferdinand of Aragon. The superior advantages of a connection which should be the means of uniting the people of

conceived for Edward IV., for *his refusal of her,* and his taking instead to wife a widow of England." (Vol. iii. p. 274.) The old chronicler Hall, on the other hand, mentions that it was currently reported, although he does not appear to credit it, that the earl of Warwick had been despatched into Spain in order to request the hand of the princess Isabella for his master, Edward IV., in 1463. (See his Chronicle of England (London, 1809), pp. 263, 264.)—I find nothing in the Spanish accounts of that period which throws any light on these obvious contradictions.

[42] The territories of France and Castile touched, indeed, on one point (Guipuscoa), but were separated along the whole remaining line of frontier by the kingdoms of Aragon and Navarre.

[43] Pulgar, Reyes Católicos, cap. 8.—Alonso de Palencia, Corónica, MS., part. 2, cap. 10.

Aragon and Castile into one nation were indeed manifest. They were the descendants of one common stock, speaking one language, and living under the influence of similar institutions, which had moulded them into a common resemblance of character and manners. From their geographical position, too, they seemed destined by nature to be one nation; and, while separately they were condemned to the rank of petty and subordinate states, they might hope, when consolidated into one monarchy, to rise at once to the first class of European powers. While arguments of this public nature pressed on the mind of Isabella, she was not insensible to those which most powerfully affect the female heart. Ferdinand was then in the bloom of life, and distinguished for the comeliness of his person. In the busy scenes in which he had been engaged from his boyhood, he had displayed a chivalrous valor, combined with maturity of judgment far above his years. Indeed, he was decidedly superior to his rivals in personal merit and attractions.[44] But, while private inclinations

[44] Isabella, in order to acquaint herself more intimately with the personal qualities of her respective suitors, had privately despatched her confidential chaplain, Alonso de Coca, to the courts of France and of Aragon, and his report on his return was altogether favorable to Ferdinand. The duke of Guienne he represented as "a feeble, effeminate prince, with limbs so emaciated as to be almost deformed, and with eyes so weak and watery as to incapacitate him for the ordinary exercises of chivalry; while Ferdinand, on the other hand, was possessed of a comely, symmetrical figure, a graceful demeanor, and a spirit that was up to any thing;" *mui dispuesto para toda cosa que hacer quisiese.* It is not improbable that the queen of Aragon condescended to practise some of those agreeable arts on the worthy chaplain which made so sensible an impression on the marquis of Villena.

thus happily coincided with considerations of expediency for inclining her to prefer the Aragonese match, a scheme was devised in another quarter for the express purpose of defeating it.

A fraction of the royal party, with the family of Mendoza at their head, had retired in disgust with the convention of Toros de Guisando, and openly espoused the cause of the princess Joanna. They even instructed her to institute an appeal before the tribunal of the supreme pontiff, and caused a placard, exhibiting a protest against the validity of the late proceedings, to be nailed secretly in the night to the gate of Isabella's mansion.[45] Thus were sown the seeds of new dissensions, before the old were completely eradicated. With this disaffected party the marquis of Villena, who, since his reconciliation, had resumed his ancient ascendency over Henry, now associated himself. Nothing, in the opinion of this nobleman, could be more repugnant to his interests than the projected union between the houses of Castile and Aragon; to the latter of which, as already noticed,[46] once belonged the ample domains of his own marquisate, which he imagined would be held by a very precarious tenure should any of his family obtain a footing in Castile.

In the hope of counteracting this project, he endeavored to revive the obsolete pretensions of Alfonso, king of Portugal; and, the more effectually to secure the co-operation of Henry, he

[45] Alonso de Palencia, Corónica, MS., part. 2, cap. 5.
[46] See ante, note 10.

connected with his scheme a proposition for marrying his daughter Joanna with the son and heir of the Portuguese monarch; and thus this unfortunate princess might be enabled to assume at once a station suitable to her birth, and at some future opportunity assert with success her claim to the Castilian crown. In furtherance of this complicated intrigue, Alfonso was invited to renew his addresses to Isabella in a more public manner than he had hitherto done; and a pompous embassy, with the archbishop of Lisbon at its head, appeared at Ocaña, where Isabella was then residing, bearing the proposals of their master. The princess returned, as before, a decided though temperate refusal.[47] Henry, or rather the marquis of Villena, piqued at this opposition to his wishes, resolved to intimidate her into compliance, and menaced her with imprisonment in the royal fortress at Madrid. Neither her tears nor entreaties would have availed against this tyrannical proceeding; and the marquis was only deterred from putting it in execution by his fear of the inhabitants of Ocaña, who openly espoused the cause of Isabella. Indeed, the common people of Castile very generally supported her in her preference of the Aragonese match. Boys paraded the streets, bearing banners emblazoned with the arms of Aragon, and singing verses prophetic of the glories of the auspicious union. They even assembled round the palace gates, and insulted the ears of Henry

[47] Faria y Sousa, Europa Portuguesa, tom. ii. p. 391.—Castillo, Crónica, cap. 121, 127.—Alonso de Palencia, Corónica, MS., part. 2, cap. 7.—Lebrija, Rerum Gestarum Decades, lib. 1, cap. 7.

and his minister by the repetition of satirical stanzas which contrasted Alfonso's years with the youthful graces of Ferdinand.[48] Notwithstanding this popular expression of opinion, however, the constancy of Isabella might at length have yielded to the importunity of her persecutors, had she not been encouraged by her friend the archbishop of Toledo, who had warmly entered into the interests of Aragon, and who promised, should matters come to extremity, to march in person to her relief at the head of a sufficient force to insure it. (1469.)

Isabella, indignant at the oppressive treatment which she experienced from her brother, as well as at his notorious infraction of almost every article in the treaty of Toros de Guisando, felt herself released from her corresponding engagements, and determined to conclude the negotiations relative to her marriage without any further deference to his opinion. Before taking any decisive step, however, she was desirous of obtaining the concurrence of the leading nobles of her party. This was effected without difficulty, through the intervention of the archbishop of Toledo, and of Don Frederick Henriquez, admiral of Castile, and the maternal grandfather of Ferdinand; a person of high consideration, both from his rank and character, and connected by blood with the principal families in the kingdom.[49] Fortified by their approbation, Isabella dismissed the Aragonese

[48] Bernaldez, Reyes Católicos, MS., cap. 7.—Alonso de Palencia, Corónica, MS., part. 2, cap. 7.

[49] Pulgar, Claros Varones, tit. 2.

envoy with a favorable answer to his master's suit.[50]

Her reply was received with almost as much satisfaction by the old king of Aragon, John the Second, as by his son. This monarch, who was one of the shrewdest princes of his time, had always been deeply sensible of the importance of consolidating the scattered monarchies of Spain under one head. He had solicited the hand of Isabella for his son when she possessed only a contingent reversion of the crown. But, when her succession had been settled on a more secure basis, he lost no time in effecting this favorite object of his policy. With the consent of the states, he had transferred to his son the title of king of Sicily, and associated him with himself in the government at home, in order to give him greater consequence in the eyes of his mistress. He then despatched a confidential agent into Castile, with instructions to gain over to his interests all who exercised any influence on the mind of the princess; furnishing him for this purpose with *cartes blanches,* signed by himself and Ferdinand, which he was empowered to fill at his discretion.[51]

Between parties thus favorably disposed there was no unnecessary delay. The marriage articles were signed, and sworn to by Ferdinand at Cervera on the 7th of January, 1469. He promised faithfully to respect the laws and usages of Castile; to fix his residence in that kingdom, and

[50] L. Marineo, Cosas memorables, fol. 154.—Zurita, Anales, tom. iv. fol. 162.—Alonso de Palencia, Corónica, MS., part. 2, cap. 7.—Pulgar, Reyes Católicos, cap. 9.

[51] Zurita, Anales, tom. iv. fol. 157, 163.

not to quit it without the consent of Isabella; to alienate no property belonging to the crown; to prefer no foreigners to municipal offices, and indeed to make no appointments of a civil or military nature, without her consent and approbation; and to resign to her exclusively the right of nomination to ecclesiastical benefices. All ordinances of a public nature were to be subscribed equally by both. Ferdinand engaged, moreover, to prosecute the war against the Moors; to respect King Henry; to suffer every noble to remain unmolested in the possession of his dignities; and not to demand restitution of the domains formerly owned by his father in Castile. The treaty concluded with a specification of a magnificent dower to be settled on Isabella, far more ample than that usually assigned to the queens of Aragon.[52] The circumspection of the framers of this instrument is apparent from the various provisions introduced into it solely to calm the apprehensions and to conciliate the good will of the party disaffected to the marriage; while the national partialities of the Castilians in general were gratified by the jealous restrictions imposed on Ferdinand, and the relinquishment of all the essential rights of sovereignty to his consort.

While these affairs were in progress, Isabella's situation was becoming extremely critical. She had availed herself of the absence of her brother and the marquis of Villena in the south, whither

[52] See the copy of the original marriage contract, as it exists in the archives of Simancas, extracted in tom. vi. of Memorias de la Acad. de Hist., Apend. no. 1.—Zurita, Anales, lib. 18, cap. 31.—Ferreras, Hist. d'Espagne, tom. vii. p. 236.

they had gone for the purpose of suppressing the still lingering spark of insurrection, to transfer her residence from Ocaña to Madrigal, where, under the protection of her mother, she intended to abide the issue of the pending negotiations with Aragon. Far, however, from escaping the vigilant eye of the marquis of Villena by this movement, she laid herself more open to it. She found the bishop of Burgos, the nephew of the marquis, stationed at Madrigal, where he served as an effectual spy upon her actions. Her most confidential servants were corrupted, and conveyed intelligence of her proceedings to her enemy. Alarmed at the actual progress made in the negotiations for her marriage, the marquis was now convinced that he could only hope to defeat them by resorting to the coercive system which he had before abandoned. He accordingly instructed the archbishop of Seville to march at once to Madrigal with a sufficient force to secure Isabella's person; and letters were at the same time addressed by Henry to the citizens of that place, menacing them with his resentment if they should presume to interpose in her behalf. The timid inhabitants disclosed the purport of the mandate to Isabella, and besought her to provide for her own safety. This was perhaps the most critical period in her life. Betrayed by her own domestics, deserted even by those friends of her own sex who might have afforded her sympathy and counsel, but who fled affrighted from the scene of danger, and on the eve of falling into the snares of her enemies, she beheld the sudden extinction of

those hopes which she had so long and so fondly cherished.[53]

In this exigency, she contrived to convey a knowledge of her situation to Admiral Henriquez and the archbishop of Toledo. The active prelate, on receiving the summons, collected a body of horse, and, reinforced by the admiral's troops, advanced with such expedition to Madrigal that he succeeded in anticipating the arrival of the enemy. Isabella received her friends with unfeigned satisfaction; and bidding adieu to her dismayed guardian, the bishop of Burgos, and his attendants, she was borne off by her little army in a sort of military triumph to the friendly city of Valladolid, where she was welcomed by the citizens with a general burst of enthusiasm.[54]

In the mean time, Gutierre de Cardenas, one of the household of the princess,[55] and Alonso de Palencia, the faithful chronicler of these events, were despatched into Aragon in order to quicken Ferdinand's operations during the auspicious interval afforded by the absence of Henry in Andalusia. On arriving at the frontier town of Osma, they were dismayed to find that the bishop of that

[53] Alonso de Palencia, Corónica, MS., part. 2, cap. 12.—Castillo, Crónica, cap. 128, 131, 136.—Zurita, Anales, tom. iv. fol. 162.—Beatriz de Bobadilla and Mencia de la Torre, the two ladies most in her confidence, had escaped to the neighboring town of Coca.

[54] Castillo, Crónica, cap. 136.—Alonso de Palencia, Corónica, MS., part. 2, cap. 12.—Carbajal, Anales, MS., año 69.

[55] This cavalier, who was of an ancient and honorable family in Castile, was introduced to the princess's service by the archbishop of Toledo. He is represented by Gonzalo de Oviedo as a man of much sagacity and knowledge of the world, qualities with which he united a steady devotion to the interests of his mistress. Oviedo, Quincuagenas, MS., bat. 1, quinc. 2, dial. 1.

place, together with the duke of Medina Celi, on whose active co-operation they had relied for the safe introduction of Ferdinand into Castile, had been gained over to the interests of the marquis of Villena.[56] The envoys, however, adroitly concealing the real object of their mission, were permitted to pass unmolested to Saragossa, where Ferdinand was then residing. They could not have arrived at a more inopportune season. The old king of Aragon was in the very heat of the war against the insurgent Catalans, headed by the victorious John of Anjou. Although so sorely pressed, his forces were on the eve of disbanding, for want of the requisite funds to maintain them. His exhausted treasury did not contain more than three hundred *enriques*.[57] In this exigency he was agitated by the most distressing doubts. As he could spare neither the funds nor the force necessary for covering his son's entrance into Castile, he must either send him unprotected into a hostile country already aware of his intended enterprise and in arms to defeat it, or abandon the long-cherished object of his policy at the moment when his plans were ripe for execution. Unable to extricate himself from this dilemma, he referred the whole matter to Ferdinand and his council.[58]

It was at length determined that the prince should undertake the journey, accompanied by

[56] Alonso de Palencia, Corónica, MS., cap. 14.—The bishop told Palencia that, "if his own servants deserted him, he would oppose the entrance of Ferdinand into the kingdom."

[57] Zurita, Anales, lib. 18, cap. 26.—The *enrique* was a gold coin, so denominated from Henry II.

[58] Zurita, Anales, lib. 18, cap. 26.—Abarca, Reyes de Aragon, tom. ii. p. 273.

half a dozen attendants only, in the disguise of merchants, by the direct route from Saragossa; while another party, in order to divert the attention of the Castilians, should proceed in a different direction, with all the ostentation of a public embassy from the king of Aragon to Henry the Fourth. The distance was not great which Ferdinand and his suite were to travel before reaching a place of safety; but this intervening country was patrolled by squadrons of cavalry for the purpose of intercepting their progress; and the whole extent of the frontier, from Almazan to Guadalajara, was defended by a line of fortified castles in the hands of the family of Mendoza.[59] The greatest circumspection, therefore, was necessary. The party journeyed chiefly in the night; Ferdinand assumed the disguise of a servant, and, when they halted on the road, took care of the mules, and served his companions at table. In this guise, with no other disaster except that of leaving at an inn the purse which contained the funds for the expedition, they arrived, late on the second night, at a little place called the Burgo, or Borough, of Osma, which the count of Treviño, one of the partisans of Isabella, had occupied with a considerable body of men-at-arms. On knocking at the gate, cold and faint with travelling, during which the prince had allowed himself to take no repose, they were saluted by a large stone discharged by a sentinel from the battlements, which, glancing near Ferdinand's head, had well-nigh brought his romantic enterprise to a tragical

[59] Mem. de la Acad. de Hist., tom. vi. p. 78, Ilust. 2.

conclusion; when his voice was recognized by his friends within, and, the trumpets proclaiming his arrival, he was received with great joy and festivity by the count and his followers. The remainder of his journey, which he commenced before dawn, was performed under the convoy of a numerous and well-armed escort; and on the 9th of October he reached Dueñas in the kingdom of Leon, where the Castilian nobles and cavaliers of his party eagerly thronged to render him the homage due to his rank.[60]

The intelligence of Ferdinand's arrival diffused universal joy in the little court of Isabella at Valladolid. Her first step was to transmit a letter to her brother Henry, in which she informed him of the presence of the prince in his dominions, and of their intended marriage. She excused the course she had taken by the embarrassments in which she had been involved by the malice of her enemies. She represented the political advantages of the connection, and the sanction it had received from the Castilian nobles; and she concluded with soliciting his approbation of it, giving him at the same time affectionate assurances of the most dutiful submission on the part both of Ferdinand and of herself.[61] Arrangements were then made for an interview between the royal pair, in which some courtly parasites would fain have persuaded their mistress to require some act of homage from Ferdinand, in token of the inferiority of the crown

[60] Alonso de Palencia, Corónica, MS., part. 2, cap. 14.—Zurita, Anales, loc. cit.

[61] This letter, dated October 12th, is cited at length by Castillo, Crónica, cap. 136.

of Aragon to that of Castile; a proposition which she rejected with her usual discretion.[62]

Agreeably to these arrangements, Ferdinand, on the evening of the 15th of October, passed privately from Dueñas, accompanied by only four attendants, to the neighboring city of Valladolid, where he was received by the archbishop of Toledo and conducted to the apartment of his mistress.[63] Ferdinand was at this time in the eighteenth year of his age. His complexion was fair, though somewhat bronzed by constant exposure to the sun; his eye quick and cheerful; his forehead ample, and approaching to baldness. His muscular and well-proportioned frame was invigorated by the toils of war, and by the chivalrous exercises in which he delighted. He was one of the best horsemen in his court, and excelled in field sports of every kind. His voice was somewhat sharp, but he possessed a fluent eloquence; and, when he had a point to carry, his address was courteous and even insinuating. He secured his health by extreme temperance in his diet, and by such habits of activity that it was said he seemed to find repose in business.[64] Isabella was a year older than her lover. In stature she was somewhat above the

[62] Alonso de Palencia, Corónica, MS., part. 2, cap. 15.

[63] Gutierre de Cardenas was the first who pointed him out to the princess, exclaiming at the same time, "*Ese es, ese es,*" "This is he;" in commemoration of which he was permitted to place on his escutcheon the letters SS, whose pronunciation in Spanish resembles that of the exclamation which he had uttered. Ibid., part. 2, cap. 15. —Oviedo, Quincuagenas, MS., bat. 1, quinc. 2, dial. 1.

[64] L. Marineo, Cosas memorables, fol. 182.—Garibay, Compendio, lib. 18, cap. 1.—"Tan amigo de los negocios," says Mariana, "que parecia con el trabajo descansaba." Hist. de España, lib. 25, cap. 18.

middle size. Her complexion was fair; her hair of a bright chestnut color, inclining to red; and her mild blue eye beamed with intelligence and sensibility. She was exceedingly beautiful; "the handsomest lady," says one of her household, "whom I ever beheld, and the most gracious in her manners." [65] The portrait still existing of her in the royal palace is conspicuous for an open symmetry of features, indicative of the natural serenity of temper, and that beautiful harmony of intellectual and moral qualities, which most distinguished her. She was dignified in her demeanor, and modest even to a degree of reserve. She spoke the Castilian language with more than usual elegance, and early imbibed a relish for letters, in which she was superior to Ferdinand, whose education in this particular seems to have been neglected.[66] It is not easy to obtain a dispassionate portrait of Isabella. The Spaniards who revert to her glorious reign are so smitten with her moral perfections that, even in depicting her personal, they borrow somewhat of the exaggerated coloring of romance.

The interview lasted more than two hours, when Ferdinand retired to his quarters at Dueñas as privately as he came. The preliminaries of the marriage, however, were first adjusted; but so great was the poverty of the parties that it was found necessary to borrow money to defray the

[65] "En hermosura, puestas delante S. A. todas las mugeres que yo he visto, ninguna vi tan graciosa, ni tanto de ver como su persona, ni de tal manera e sanctidad honestisima." Oviedo, Quincuagenas, MS.

[66] Bernaldez, Reyes Católicos, MS., cap. 201.—Abarca, Reyes de Aragon, tom. ii. p. 362.—Garibay, Compendio, lib. 18, cap. 1.

expenses of the ceremony.[67] Such were the humiliating circumstances attending the commencement of a union destined to open the way to the highest prosperity and grandeur of the Spanish monarchy!

The marriage between Ferdinand and Isabella was publicly celebrated, on the morning of the 19th of October, 1469, in the palace of John de Vivero, the temporary residence of the princess, and subsequently appropriated to the chancery of Valladolid. The nuptials were solemnized in the presence of Ferdinand's grandfather, the admiral of Castile, of the archbishop of Toledo, and a multitude of persons of rank, as well as of inferior condition, amounting in all to no less than two thousand.[68] A papal bull of dispensation was produced by the archbishop, relieving the parties from the impediment incurred by their falling within the prohibited degrees of consanguinity. This spurious document * was afterwards discovered to have been devised by the old king of Aragon, Ferdinand, and the archbishop, who were deterred from applying to the court of Rome by

[67] Mariana, Hist. de España, tom. ii. p. 465.

[68] Carbajal, Anales, MS., año 1469.—Alonso de Palencia, Corónica, MS., part. 2, cap. 16.—Zurita, Anales, lib. 18, cap. 26.—See a copy of the official record of the marriage, Mem. de la Acad., tom. vi. Apend. 4. See also the Ilust. 2.

* [Isabella learned that the bull was spurious when the negotiations for the marriage of La Beltraneja to the duke of Guienne, brother of Louis XI. of France, were going on. She at once applied to Pope Sixtus IV. for a new one. The genuine bull was carried to the queen by a cardinal of Spanish birth, Roderick Borgia. This prelate was shortly to become familiar to all the world as Pope Alexander VI.—M.]

the zeal with which it openly espoused the interests of Henry, and who knew that Isabella would never consent to a union repugnant to the canons of the established church, and one which involved such heavy ecclesiastical censures. A genuine bull of dispensation was obtained, some years later, from Sixtus the Fourth; but Isabella, whose honest mind abhorred everything like artifice, was filled with no little uneasiness and mortification at the discovery of the imposition.[69] The ensuing week was consumed in the usual festivities of this joyous season; at the expiration of which the newmarried pair attended publicly the celebration of mass, agreeably to the usage of the time, in the collegiate church of Santa Maria.[70]

An embassy was despatched by Ferdinand and Isabella to Henry, to acquaint him with their proceedings, and again request his approbation of them. They repeated their assurances of loyal submission, and accompanied the message with a copious extract from such of the articles of marriage as, by their import, would be most likely to conciliate his favorable disposition. Henry coldly replied that "he must advise with his ministers."[71]

[69] The intricacies of this affair, at once the scandal and the stumbling-block of the Spanish historians, have been unravelled by Señor Clemencin, with his usual perspicuity. See Mem. de la Acad., tom. vi. pp. 105–116, Ilust. 2.

[70] Alonso de Palencia, Corónica, MS., part 2, cap. 16.—A lively narrative of the adventures of Prince Ferdinand, detailed in this chapter, may be found in Cushing's Reminiscences of Spain (Boston, 1833), vol. i. pp. 225–255.

[71] Castillo, Crónica, cap. 137.—Alonso de Palencia, Corónica, MS., part. 2, cap. 16.

Gonzalo Fernandez de Oviedo y Valdés, author of the "Quincuagenas" frequently cited in this History, was born at Madrid, in 1478. He was of noble Asturian descent. Indeed, every peasant in the Asturias claims nobility as his birthright. At the age of twelve he was introduced into the royal palace, as one of the pages of Prince John. He continued with the court several years, and was present, though a boy, in the closing campaigns of the Moorish war. In 1514, according to his own statement, he embarked for the Indies, where, although he revisited his native country several times, he continued during the remainder of his long life. The time of his death is uncertain. Oviedo occupied several important posts under the government, and he was appointed to one of a literary nature, for which he was well qualified by his long residence abroad,—that of historiographer of the Indies. It was in this capacity that he produced his principal work, "Historia general de las Indias," in fifty books. Las Casas denounces the book as a wholesale fabrication, "as full of lies, almost, as pages." (Œuvres, trad. de Llorente, tom. i. p. 382.) But Las Casas entertained too hearty an aversion for the man, whom he publicly accused of rapacity and cruelty, and was too decidedly opposed to his ideas on the government of the Indies, to be a fair critic. Oviedo, though somewhat loose and rambling, possessed extensive stores of information, by which those who have had occasion to follow in his track have liberally profited.

The work with which we are concerned is his Quincuagenas. It is entitled "Las Quincuagenas de los generosos é ilustres é no menos famosos Reyes, Príncipes, Duques, Marqueses y Condes et Caballeros, et Personas notables de España, que escribió el Capitan Gonzalo Fernandez de Oviedo y Valdez, Alcáide de sus Magestades de la Fortaleza de la Cibdad é Puerto de Sancto Domingo de la Isla Española, Coronista de las Indias," etc. At the close of the third volume is this record of the octogenarian author: "Acabé de escribir de mi mano este famoso tractado de la nobleza de España, domingo 1° dia de Pascua de Pentecostes XXIII. de mayo de 1556 años. Laus Deo. Y de mi edad 79 años." This very curious work is in the form of dialogues, in which the author is the chief interlocutor. It contains a very full and, indeed, prolix notice of the principal persons in Spain, their lineage, revenues, and arms, with an inexhaustible fund of private anecdote. The author, who was well acquainted with most of the individuals of note in his time, amused himself, during his absence in the New World, with keeping alive the images of home by this minute record of early reminiscences. In this mass of gossip there is a good deal, indeed, of very little value. It contains, however, much for the illustration of domestic manners, and copious particulars, as I have intimated, respecting the characters and habits of eminent personages, which could have been known only to one familiar with them. On all topics of descent and heraldry he is uncommonly full; and one would think his services in

this department alone might have secured him, in a land where these are so much respected, the honors of the press. His book, however, still remains in manuscript, apparently little known, and less used, by Castilian scholars. Besides the three folio volumes in the Royal Library at Madrid, from which the transcript in my possession was obtained, Clemencin, whose commendations of this work, as illustrative of Isabella's reign, are unqualified (Mem. de la Acad. de Hist., tom. vi. Ilust. 10), enumerates three others, two in the king's private library, and one in that of the Academy.

CHAPTER IV

FACTIONS IN CASTILE—WAR BETWEEN FRANCE AND ARAGON—DEATH OF HENRY IV. OF CASTILE

1469–1474

Factions in Castile—Ferdinand and Isabella—Gallant Defence of Perpignan against the French—Ferdinand raises the Siege—Isabella's Party gains Strength—Interview between King Henry IV. and Isabella—The French invade Roussillon—Ferdinand's summary Justice—Death of Henry IV. of Castile—Influence of his Reign

THE marriage of Ferdinand and Isabella disconcerted the operations of the marquis of Villena, or, as he should be styled, the grand master of St. James, since he had resigned his marquisate to his elder son on his appointment to the command of the military order above mentioned, a dignity inferior only to the primacy in importance. It was determined, however, in the councils of Henry to oppose at once the pretensions of the princess Joanna to those of Isabella; and an embassy was gladly received from the king of France, offering to the former lady the hand of his brother the duke of Guienne, the rejected suitor of Isabella. Louis the Eleventh was willing to engage his relative in the unsettled politics of a distant state, in order to relieve himself from his pretensions at home.[1]

An interview took place between Henry the Fourth and the French ambassadors in a little

[1] Alonso de Palencia, Corónica, MS., part. 2, cap. 21.—Gaillard, Rivalité, tom. iii. p. 284.—Rades y Andrada, Las tres Ordenes, fol. 65.—Caro de Torres, Ordenes militares, fol. 43.

village in the vale of Lozoya, in October, 1470. A proclamation was read, in which Henry declared his sister to have forfeited whatever claims she had derived from the treaty of Toros de Guisando, by marrying contrary to his approbation. He then with his queen swore to the legitimacy of the princess Joanna, and announced her as his true and lawful successor. The attendant nobles took the usual oaths of allegiance; and the ceremony was concluded by affiancing the princess, then in the ninth year of her age, with the formalities ordinarily practised on such occasions, to the count of Boulogne, the representative of the duke of Guienne.[2]

This farce, in which many of the actors were the same persons who performed the principal parts at the convention of Toros de Guisando, had on the whole an unfavorable influence on Isabella's cause. It exhibited her rival to the world as one whose claims were to be supported by the whole authority of the court of Castile, with the probable co-operation of France. Many of the most considerable families in the kingdom, as the Pachecos,[3]

[2] Oviedo, Quincuagenas, MS., bat. 1, quinc. 1, dial. 23.—Castillo, Crónica, p. 298.—Alonso de Palencia, Corónica, MS., part. 2, cap. 24. —Henry, well knowing how little all this would avail without the constitutional sanction of the cortes, twice issued his summons in 1470 for the convocation of the deputies, to obtain a recognition of the title of Joanna; but without effect. In the letters of convocation issued for a third assembly of the states, in 1471, this purpose was prudently omitted, and thus the claims of Joanna failed to receive the countenance of the only body which could give them validity. See the copies of the original writs, addressed to the cities of Toledo and Segovia, cited by Marina, Teoría, tom. ii. pp. 87–89.

[3] The grand master of St. James, and his son, the marquis of Villena, afterwards duke of Escalona. The rents of the former

the Mendozas in all their extensive ramifications,[4] the Zuñigas, the Velascos,[5] the Pimentels,[6] unmindful of the homage so recently rendered to Isabella, now openly testified their adhesion to her niece.

Ferdinand and his consort, who held their little court at Dueñas,[7] were so poor as to be scarcely capable of defraying the ordinary charges of their table. The northern provinces of Biscay and Guipuscoa had, however, loudly declared against the French match; * and the populous province of

nobleman, whose avarice was as insatiable as his influence over the feeble mind of Henry IV. was unlimited, exceeded those of any other grandee in the kingdom. See Pulgar, Claros Varones, tit. 6.

[4] The marquis of Santillana, first duke of Infantado, and his brothers, the counts of Coruña and Tendilla, and above all Pedro Gonzalez de Mendoza, afterwards Cardinal of Spain and archbishop of Toledo, who was indebted for the highest dignities in the church less to his birth than his abilities. See Pulgar, Claros Varones, tit. 4, 9, and Salazar de Mendoza, Dignidades, lib. 3, cap. 17.

[5] Alvaro de Zuñiga, count of Palencia, and created by Henry IV. duke of Arevalo.—Pedro Fernandez de Velasco, count of Haro, was raised to the post of constable of Castile in 1473, and the office continued to be hereditary in the family from that period. Pulgar, Claros Varones, tit. 3.—Salazar de Mendoza, Dignidades, lib. 3, cap. 21.

[6] The Pimentels, counts of Benavente, had estates which gave them 60,000 ducats a year; a very large income for that period, and far exceeding that of any other grandee of similar rank in the kingdom. L. Marineo, Cosas memorables, fol. 25.

[7] Carbajal, Anales, MS., año 70.

* [In letters addressed to Louis XI. by the king and queen of Castile and the grand master, in 1471, the French monarch is urged to accelerate the departure of his brother, who, he is assured, will be cordially welcomed in Biscay and Guipuscoa, receiving the treatment due to the eldest son of the sovereign. As a further bait, Henry represents himself as weary of the government and desirous to resign it to his son-in-law. (Lenglet, Mém. de Comines, Preuves, tom. iii. p. 157.) A similar eagerness for the conclusion of the marriage is shown in a letter from the chancellor of the princess

Andalusia, with the house of Medina Sidonia at its head, still maintained its loyalty to Isabella unshaken. But her principal reliance was on the archbishop of Toledo, whose elevated station in the church and ample revenues gave him perhaps less real influence than his commanding and resolute character, which had enabled him to triumph over every obstacle devised by his more crafty adversary, the grand master of St. James. The prelate, however, with all his generous self-devotion, was far from being a comfortable ally. He would willingly have raised Isabella to the throne, but he would have her indebted for her elevation exclusively to himself. He looked with a jealous eye on her most intimate friends, and complained that neither she nor her husband deferred sufficiently to his counsel. The princess could not always conceal her disgust at these humors; and Ferdinand, on one occasion, plainly told him that "he was not to be put in leading-strings, like so many of the sovereigns of Castile." The old king of Aragon, alarmed at the consequences of a rupture with so indispensable an ally, wrote in the most earnest manner to his son, representing the necessity of propitiating the offended prelate. But Ferdinand, although educated in the school of dissimulation, had not yet acquired that self-command which enabled him in after-life to sacrifice his

Juana to the duke of Guienne, whom the writer addresses as Prince of Asturias and the "eldest son" of Castile and Leon. (Ibid., p. 156.) But although Louis, in a letter to Henry IV., expresses satisfaction with the match (ibid., ubi supra), his real wishes in regard to his brother were of a different nature; they received their accomplishment, two years later, in Charles's death.—K.]

passions, and sometimes indeed his principles, to his interests.[8]

The most frightful anarchy at this period prevailed throughout Castile. While the court was abandoned to corrupt or frivolous pleasure, the administration of justice was neglected, until crimes were committed with a frequency and on a scale which menaced the very foundations of society. The nobles conducted their personal feuds with an array of numbers which might compete with those of powerful princes. The duke of Infantado, the head of the house of Mendoza,[9] could bring into the field, at four-and-twenty hours' notice, one thousand lances and ten thousand foot. The battles, far from assuming the character of those waged by the Italian *condottieri* at this period, were of the most sanguinary and destructive kind. Andalusia was in particular the theatre of this savage warfare. The whole of that extensive district was divided by the factions of the Guzmans and Ponces de Leon. The chiefs of these ancient houses having recently died, the inheritance descended to young men, whose hot blood soon revived the feuds which had been permitted to cool under the temperate sway of their fathers. One of these fiery cavaliers was Rodrigo Ponce de Leon, so deservedly celebrated after-

[8] Zurita, Anales, tom. iv. fol. 170.—Alonso de Palencia, Corónica, MS., cap. 45.

[9] This nobleman, Diego Hurtado, "muy gentil caballero y gran señor," as Oviedo calls him, was at this time only marquis of Santillana, and was not raised to the title of duke of Infantado till the reign of Isabella (Quincuagenas, MS., bat. 1, quinc. 1, dial. 8). To avoid confusion, however, I have given him the title by which he is usually recognized by Castilian writers.

wards in the wars of Granada as the marquis of Cadiz. He was an illegitimate and younger son of the count of Arcos, but was preferred by his father to his other children in consequence of the extraordinary qualities which he evinced at a very early period. He served his apprenticeship to the art of war in the campaigns against the Moors, displaying on several occasions an uncommon degree of enterprise and personal heroism. On succeeding to his paternal honors, his haughty spirit, impatient of a rival, led him to revive the old feud with the duke of Medina Sidonia, the head of the Guzmans, who, though the most powerful nobleman in Andalusia, was far his inferior in capacity and military science.[10]

On one occasion the duke of Medina Sidonia mustered an army of twenty thousand men against his antagonist; on another, no less than fifteen hundred houses of the Ponce faction were burnt to the ground in Seville. Such were the potent engines employed by these petty sovereigns in their conflicts with one another, and such the havoc which they brought on the fairest portion of the Peninsula. The husbandman, stripped of his harvest and driven from his fields, abandoned himself to idleness, or sought subsistence by plunder. A scarcity ensued in the years 1472 and 1473, in which the prices of the most necessary commodities rose to such an exorbitant height as put them beyond the reach of any but the affluent. But it

[10] Bernaldez, Reyes Católicos, MS., cap. 3.—Salazar de Mendoza, Crónica del Gran Cardenal de España, Don Pedro Gonzalez de Mendoza (Toledo, 1625), pp. 138, 150.—Zuñiga, Anales de Sevilla, p. 362.

would be wearisome to go into all the loathsome details of wretchedness and crime brought on this unhappy country by an imbecile government and a disputed succession, and portrayed with lively fidelity in the chronicles, the letters, and the satires of the time.[11]

While Ferdinand's presence was more than ever necessary to support the drooping spirits of his party in Castile, he was unexpectedly summoned into Aragon to the assistance of his father. No sooner had Barcelona submitted to King John, as mentioned in a preceding chapter,[12] than the inhabitants of Roussillon and Cerdagne, which provinces, it will be remembered, were placed in the custody of France, as a guaranty for the king of Aragon's engagements, oppressed by the grievous exactions of their new rulers, determined to break the yoke, and to put themselves again under the protection of their ancient master, pro-

[11] Bernaldez, Reyes Católicos, MS., cap. 4, 5, 7.—Zuñiga, Anales de Sevilla, pp. 363, 364.—Alonso de Palencia, Corónica, MS., part. 2, cap. 35, 38, 39, 42.—Saez, Monedas de Enrique IV., pp. 1–5.—Pulgar, in an epistle addressed, in the autumn of 1473, to the bishop of Coria, adverts to several circumstances which set in a strong light the anarchical state of the kingdom and the total deficiency of police. The celebrated satirical eclogue, also, entitled "Mingo Revulgo," exposes, with coarse but cutting sarcasm, the license of the court, the corruption of the clergy, and the prevalent depravity of the people. In one of its stanzas it boldly ventures to promise another and a better sovereign to the country. This performance, even more interesting to the antiquary than to the historian, has been attributed by some to Pulgar (see Mariana, Hist. de España, tom. ii. p. 475), and by others to Rodrigo Cota (see Nic. Antonio, Bibliotheca Vetus, tom. ii. p. 264), but without satisfactory evidence in favor of either. Bouterwek is much mistaken in asserting it to have been aimed at the government of John II. The gloss of Pulgar, whose authority as a contemporary must be considered decisive, plainly proves it to have been directed against Henry IV.

[12] See chap. ii.

vided they could obtain his support. The opportunity was favorable. A large part of the garrisons in the principal cities had been withdrawn by Louis the Eleventh, to cover the frontier on the side of Burgundy and Brittany. John, therefore gladly embraced the proposal; and on a concerted day a simultaneous insurrection took place throughout the provinces, when such of the French, in the principal towns, as had not the good fortune to escape into the citadels, were indiscriminately massacred. Of all the country, Salces, Collioure, and the castle of Perpignan alone remained in the hands of the French. John then threw himself into the last-named city with a small body of troops, and instantly set about the construction of works to protect the inhabitants against the fire of the French garrison in the castle, as well as from the army which might soon be expected to besiege them from without.[13]

Louis the Eleventh, deeply incensed at the defection of his new subjects, ordered the most formidable preparations for the siege of their capital. John's officers, alarmed at these preparations, besought him not to expose his person at his advanced age to the perils of a siege and of captivity. But the lion-hearted monarch saw the necessity of animating the spirits of the besieged by his own presence; and, assembling the inhabitants in one of the churches of the city, he exhorted them resolutely to stand to their defence,

[13] Alonso de Palencia, Corónica, MS., cap. 56.—Mariana, Hist. de España, tom. ii. p. 481.—Zurita, Anales, tom. iv. fol. 191.—Barante, Histoire des Ducs de Bourgogne (Paris, 1825), tom. ix. pp. 101–106.

and made a solemn oath to abide the issue with them to the last.

Louis, in the mean while, had convoked the *ban* and *arrière-ban* of the contiguous French provinces, and mustered an array of chivalry and feudal militia amounting, according to the Spanish historians, to thirty thousand men. With these ample forces, his lieutenant-general, the duke of Savoy,* closely invested Perpignan, and, as he was provided with a numerous train of battering artillery, instantly opened a heavy fire on the inhabitants. John, thus exposed to the double fire of the fortress and the besiegers, was in a very critical situation. Far from being disheartened, however, he was seen, armed cap-a-pie, on horseback from dawn till evening, rallying the spirits of his troops, and always present at the point of danger. He succeeded perfectly in communicating his own enthusiasm to the soldiers. The French garrison were defeated in several sorties, and their governor taken prisoner; while supplies were introduced into the city in the very face of the blockading army.[14]

Ferdinand, on receiving intelligence of his father's perilous situation, instantly resolved, by Isabella's advice, to march to his relief. Putting himself at the head of a body of Castilian horse, generously furnished him by the archbishop of

[14] Alonso de Palencia, Corónica, MS., cap. 70.—Mariana, Hist. de España, tom. ii. p. 482.—L. Marineo, Cosas memorables, fol. 148.—Zurita, Anales, tom. iv. fol. 195.—Anquetil, Histoire de France (Paris, 1805), tom. v. pp. 60, 61.

* [The person here spoken of, Philip of Savoy, Seigneur de Bresse, did not become duke until 1496, the year before his death.—K.]

Toledo and his friends, he passed into Aragon, where he was speedily joined by the principal nobility of the kingdom, and an army amounting in all to thirteen hundred lances and seven thousand infantry. With this corps he rapidly descended the Pyrenees, by the way of Manzanara, in the face of a driving tempest, which concealed him for some time from the view of the enemy. The latter, during their protracted operations, for nearly three months, had sustained a serious diminution of numbers in their repeated skirmishes with the besieged, and still more from an epidemic which broke out in their camp. They also began to suffer not a little from want of provisions. At this crisis, the apparition of this new army, thus unexpectedly descending on their rear, filled them with such consternation that they raised the siege at once, setting fire to their tents, and retreating with such precipitation as to leave most of the sick and wounded a prey to the devouring element. John marched out, with colors flying and music playing, at the head of his little band, to greet his deliverers; and, after an affecting interview in the presence of the two armies, the father and son returned in triumph into Perpignan.[15]

The French army, reinforced by command of Louis, made a second ineffectual attempt (their own writers call it only a feint) upon the city; and the campaign was finally concluded by a treaty between the two monarchs, in which it was

[15] Zurita, Anales, tom. iv. fol. 196.—Barante, Hist. des Ducs de Bourgogne, tom. x. pp. 105, 106.—L. Marineo, Cosas memorables, fol. 149.—Alonso de Palencia, Corónica, MS., cap. 70, 71, 72.

arranged that the king of Aragon should disburse within the year the sum originally stipulated for the services rendered him by Louis in his late war with his Catalan subjects, and that, in case of failure, the provinces of Roussillon and Cerdagne should be permanently ceded to the French crown. The commanders of the fortified places in the contested territory, selected by one monarch from the nominations of the other, were excused during the interim from obedience to the mandates of either, —at least so far as they might contravene their reciprocal engagements.[16] (Sept. 1473.)

There is little reason to believe that this singular compact was subscribed in good faith by either party. John, notwithstanding the temporary succor which he had received from Louis at the commencement of his difficulties with the Catalans, might justly complain of the infraction of his engagements at a subsequent period of the war, when he not only withheld the stipulated aid, but indirectly gave every facility in his power to the invasion of the duke of Lorraine. Neither was the king of Aragon in a situation, had he been disposed, to make the requisite disbursements. Louis, on the other hand, as the event soon proved, had no other object in view but to gain time to reorganize his army, and to lull his adversary into security, while he took effectual measures for recovering the prize which had so unexpectedly eluded him.

[16] Zurita, Anales, tom. iv. fol. 200.—Gaillard, Rivalité, tom. iii. p. 266.—See the articles of the treaty cited by Duclos, Hist. de Louis XI., tom. ii. pp. 99, 101.—Alonso de Palencia, Corónica, MS., cap. 73.

During these occurrences Isabella's prospects were daily brightening in Castile. The duke of Guienne, the destined spouse of her rival Joanna, had died in France; but not until he had testified his contempt of his engagements with the Castilian princess by openly soliciting the hand of the heiress of Burgundy.[17] Subsequent negotiations for her marriage with two other princes had entirely failed. The doubts which hung over her birth, and which the public protestations of Henry and his queen, far from dispelling, served only to augment, by the necessity which they implied for such an extraordinary proceeding, were sufficient to deter any one from a connection which must involve the party in all the disasters of a civil war.[18]

Isabella's own character, moreover, contributed essentially to strengthen her cause. Her sedate conduct, and the decorum maintained in her court, formed a strong contrast with the frivolity and license which disgraced that of Henry and his consort. Thinking men were led to conclude that the sagacious administration of Isabella must eventually secure to her the ascendency over her

[17] Louis XI. is supposed with much probability to have assassinated his brother. M. de Barante sums up his examination of the evidence with this remark: "Le roi Louis XI. ne fit peut-être pas mourir son frère, mais personne ne pensa qu'il en fut incapable." Hist. des Ducs de Bourgogne, tom. ix. p. 433.

[18] The two princes alluded to were the duke of Segorbe, a cousin of Ferdinand, and the king of Portugal. The former, on his entrance into Castile, assumed such sovereign state (giving his hand, for instance, to the grandees to kiss) as disgusted these haughty nobles, and was eventually the occasion of breaking off the match. Alonso de Palencia, Corónica, MS., part. 2, cap. 62.—Faria y Sousa, Europa Portuguesa, tom. ii. p. 392.

rival; while all who sincerely loved their country could not but prognosticate for it, under her beneficent sway, a degree of prosperity which it could never reach under the rapacious and profligate ministers who directed the councils of Henry, and most probably would continue to direct those of his daughter.

Among the persons whose opinions experienced a decided revolution from these considerations, was Pedro Gonzalez de Mendoza, archbishop of Seville and cardinal of Spain; a prelate whose lofty station in the church was supported by talents of the highest order, and whose restless ambition led him, like many of the churchmen of the time, to take an active interest in politics, for which he was admirably adapted by his knowledge of affairs and discernment of character. Without deserting his former master, he privately entered into a correspondence with Isabella; and a service which Ferdinand, on his return from Aragon, had an opportunity of rendering the duke of Infantado, the head of the Mendozas,[19] secured the attachment of the other members of this powerful family.[20]

[19] Oviedo assigns another reason for this change,—the disgust occasioned by Henry IV.'s transferring the custody of his daughter from the family of Mendoza to the Pachecos. Quincuagenas, MS., bat. 1, quinc. 1, dial. 8.

[20] Salazar de Mendoza, Crón. del Gran Cardenal, p. 133.—Alonso de Palencia, Corónica, MS., part. 2, cap. 46, 92.—Castillo, Crónica, cap. 163.—The influence of these new allies, especially of the cardinal, over Isabella's councils, was an additional ground of umbrage to the archbishop of Toledo, who, in a communication with the king of Aragon, declared himself, though friendly to their cause, to be released from all further obligations to serve it. See Zurita, Anales, tom. iv. lib. 46, cap. 19.

A circumstance occurred at this time which seemed to promise an accommodation between the adverse factions, or at least between Henry and his sister. The government of Segovia, whose impregnable citadel had been made the depository of the royal treasure, was intrusted to Andres de Cabrera, an officer of the king's household. This cavalier, influenced in part by personal pique to the grand master of St. James, and still more perhaps by the importunities of his wife, Beatriz de Bobadilla, the early friend and companion of Isabella, entered into a correspondence with the princess, and sought to open the way for her permanent reconciliation with her brother. He accordingly invited her to Segovia, where Henry occasionally resided, and, to dispel any suspicions which she might entertain of his sincerity, despatched his wife secretly by night, disguised in the garb of a peasant, to Aranda, where Isabella then held her court. The latter, confirmed by the assurances of her friend, did not hesitate to comply with the invitation, and, accompanied by the archbishop of Toledo, proceeded to Segovia, where an interview took place between her and Henry the Fourth, in which she vindicated her past conduct, and endeavored to obtain her brother's sanction to her union with Ferdinand. (Dec. 1473.) Henry, who was naturally of a placable temper, received her communication with complacency, and, in order to give public demonstration of the good understanding now subsisting between him and his sister, condescended to walk by her side, holding the bridle of her palfrey, as she rode along the

streets of the city. Ferdinand, on his return into Castile, hastened to Segovia, where he was welcomed by the monarch with every appearance of satisfaction. A succession of *fêtes* and splendid entertainments, at which both parties assisted, seemed to announce an entire oblivion of all past animosities, and the nation welcomed with satisfaction these symptoms of repose after the vexatious struggle by which it had been so long agitated.[21]

The repose, however, was of no great duration. The slavish mind of Henry gradually relapsed under its ancient bondage; and the grand master of St. James succeeded, in consequence of an illness with which the monarch was suddenly seized after an entertainment given by Cabrera, in infusing into his mind suspicions of an attempt at assassination. Henry was so far incensed or alarmed by the suggestion that he concerted a scheme for privately seizing the person of his sister, which was defeated by her own prudence and the vigilance of her friends.[22] But, if the visit to Segovia failed in its destined purpose of a reconciliation with Henry, it was attended with the important consequence of securing to Isabella a faithful partisan in Cabrera, who, from the control which his situation gave him over the royal

[21] Carbajal, Anales, MS., años 73, 74.—Pulgar, Reyes Católicos, p. 27.—Castillo, Crón., cap. 164.—Alonso de Palencia, Corón., MS., part. 2, cap. 75.—Oviedo, Quincuagenas, MS., bat. 1, quinc. 1, dial. 23.

[22] Mendoza, Crón. del Gran Cardenal, pp. 141, 142.—Castillo, Crónica, cap. 164.—Oviedo has given a full account of this cavalier, who was allied to an ancient Catalan family, but who raised himself to such pre-eminence by his own deserts, says that writer, that he may well be considered the founder of his house. Loc. cit.

coffers, proved a most seasonable ally in her subsequent struggle with Joanna.

Not long after this event, Ferdinand received another summons from his father to attend him in Aragon, where the storm of war, which had been for some time gathering in the distance, now burst with pitiless fury. In the beginning of February, 1474, an embassy consisting of two of his principal nobles, accompanied by a brilliant train of cavaliers and attendants, had been deputed by John to the court of Louis XI., for the ostensible purpose of settling the preliminaries of the marriage, previously agreed on, between the dauphin and the infanta Isabella, daughter of Ferdinand and Isabella, then little more than three years of age.[23] The real object of the mission was to effect some definitive adjustment or compromise of the differences relating to the contested territories of Roussillon and Cerdagne. The king of France, who, notwithstanding his late convention with John, was making active preparations for the forcible occupation of these provinces, determined to gain time by amusing the ambassadors with a show of negotiation, and interposing every obstacle which his ingenuity could devise to their progress through his dominions. He succeeded so well in this latter part of his scheme that the embassy did not reach Paris until the close of Lent. Louis, who seldom resided in his capital, took good care to be absent at this season. The

[23] Carbajal, Anales, MS., año 70.—This was the eldest child of Ferdinand and Isabella, born Oct. 1st, 1470, afterwards queen of Portugal.

ambassadors in the interim were entertained with balls, *fêtes,* military reviews, and whatever else might divert them from the real objects of their mission. All communication was cut off with their own government, as their couriers were stopped and their despatches intercepted, so that John knew as little of his envoys or their proceedings as if they had been in Siberia or Japan. In the mean time, formidable preparations were making in the south of France for a descent on Roussillon; and when the ambassadors, after a fruitless attempt at negotiation, which evaporated in mutual crimination and recrimination, set out on their return to Aragon, they were twice detained, at Lyons and Montpellier, from an extreme solicitude, as the French government expressed it, to ascertain the safest route through a country infested by hostile armies; and all this, notwithstanding their repeated protestations against this obliging disposition, which held them prisoners in opposition to their own will and the law of nations. The prince who descended to such petty trickery passed for the wisest of his time.[24]

In the mean while, the Seigneur du Lude had invaded Roussillon at the head of nine hundred French lances and ten thousand infantry, supported by a powerful train of artillery, while a fleet of Genoese transports, laden with supplies, accompanied the army along the coast. Elna surrendered after a sturdy resistance; the governor

[24] Gaillard, Rivalité, tom. iii. pp. 267–276.—Duclos, Hist. de Louis XI., tom. ii. pp. 113, 115.—Chronique scandaleuse, ed. Petitot, tom. xiii. pp. 443, 444.

and some of the principal prisoners were shamefully beheaded as traitors; and the French then proceeded to invest Perpignan. The king of Aragon was so much impoverished by the incessant wars in which he had been engaged, that he was not only unable to recruit his army, but was even obliged to pawn the robe of costly fur which he wore to defend his person against the inclemencies of the season, in order to defray the expense of transporting his baggage. In this extremity, finding himself disappointed in the co-operation, on which he had reckoned, of his ancient allies the dukes of Burgundy and Brittany, he again summoned Ferdinand to his assistance, who, after a brief interview with his father in Barcelona, proceeded to Saragossa, to solicit aid from the estates of Aragon.

An incident occurred on this visit of the prince, worth noticing, as strongly characteristic of the lawless habits of the age. A citizen of Saragossa, named Ximenes Gordo, of noble family, but who had relinquished the privileges of his rank in order to qualify himself for municipal office, had acquired such ascendency over his townsmen as to engross the most considerable posts in the city for himself and his creatures. This authority he abused in a shameless manner, making use of it not only for the perversion of justice, but for the perpetration of the most flagrant crimes. Although these facts were notorious, yet such were his power and popularity with the lower classes that Ferdinand, despairing of bringing him to justice in the ordinary way, determined on a more

summary process. As Gordo occasionally visited the palace to pay his respects to the prince, the latter affected to regard him with more than usual favor, showing him such courtesy as might dissipate any distrust he had conceived of him. Gordo, thus assured, was invited at one of these interviews to withdraw into a retired apartment, where the prince wished to confer with him on business of moment. On entering the chamber he was surprised by the sight of the public executioner, the hangman of the city, whose presence, together with that of a priest, and the apparatus of death with which the apartment was garnished, revealed at once the dreadful nature of his destiny.

He was then charged with the manifold crimes of which he had been guilty, and sentence of death was pronounced on him. In vain did he appeal to Ferdinand, pleading the services which he had rendered on more than one occasion to his father. Ferdinand assured him that these should be gratefully remembered in the protection of his children, and then, bidding him unburden his conscience to his confessor, consigned him to the hand of the executioner. His body was exposed that very day in the market-place of the city, to the dismay of his friends and adherents, most of whom paid the penalty of their crimes in the ordinary course of justice. This extraordinary proceeding is highly characteristic of the unsettled times in which it occurred; when acts of violence often superseded the regular operation of the law, even in those countries whose forms of government approached the nearest to a determinate constitution. It will

doubtless remind the reader of the similar proceeding imputed to Louis the Eleventh, in the admirable sketch given us of that monarch in "Quentin Durward." [25]

The supplies furnished by the Aragonese cortes were inadequate to king John's necessities, and he was compelled, while hovering with his little force on the confines of Roussillon, to witness the gradual reduction of its capital, without being able to strike a blow in its defence. The inhabitants, indeed, who fought with a resolution worthy of ancient Numantia or Saguntum, were reduced to the last extremity of famine, supporting life by feeding on the most loathsome offal, on cats, dogs, the corpses of their enemies, and even on such of their own dead as had fallen in battle! And when at length an honorable capitulation was granted them on the 14th of March, 1475, the garrison who evacuated the city, reduced to the number of four hundred, were obliged to march on foot to Barcelona, as they had consumed their horses during the siege.[26]

The terms of capitulation, which permitted every inhabitant to evacuate, or reside unmolested in the city, at his option, were too liberal to satisfy the vindictive temper of the king of France. He instantly wrote to his generals, instructing them to depart from their engagements, to keep the city

[25] Alonso de Palencia, Corónica, MS., part. 2, cap. 83.—Ferreras, Hist. d'Espagne, tom. vii. p. 400.—Zurita, Anales, tom. iv. lib. 19, cap. 12.

[26] L. Marineo, Cosas memorables, fol. 150.—Zurita, Anales, tom. iv. lib. 19, cap. 13.—Chronique scandaleuse, ed. Petitot, tom. xiii. p. 456.—Alonso de Palencia, Corónica, MS., part. 2, cap. 91.

so short of supplies as to compel an emigration of its original inhabitants, and to confiscate for their own use the estates of the principal nobility; and after delineating in detail the perfidious policy which they were to pursue, he concluded with the assurance "that, by the blessing of God and our Lady, and Monsieur St. Martin, he would be with them before the winter, in order to aid them in its execution." [27] Such was the miserable medley of hypocrisy and superstition which characterized the politics of the European courts in this corrupt age, and which dimmed the lustre of names most conspicuous on the page of history.

The occupation of Roussillon was followed by a truce of six months between the belligerent parties. The regular course of the narrative has been somewhat anticipated, in order to conclude that portion of it relating to the war with France, before again reverting to the affairs of Castile, where Henry the Fourth, pining under an incurable malady, was gradually approaching the termination of his disastrous reign.

[27] See copies of the original letters, as given by M. Marante, in his History of the Dukes of Burgundy, in which the author has so happily seized the tone and picturesque coloring of the ancient chronicles; tom. x. pp. 289–298.*

* [These letters and instructions were addressed, not to the generals who had granted the obnoxious terms, and whom Louis, on this account, denounced as rank traitors, but to the Sire du Bouchage, whom he had sent to remove them, to appoint others in their places, and to take the most effective measures for securing the possession of Roussillon, the restoration of which to Aragon had just been formally demanded, through a special embassy, by Ferdinand and Isabella. (Legrand MSS., Bibliothèque Nationale, Paris.) The king's orders in regard to the inhabitants of Perpignan were not carried out.—K.]

This event, which, from the momentous consequences it involved, was contemplated with the deepest solicitude, not only by those who had an immediate and personal interest at stake, but by the whole nation, took place on the night of the 11th of December, 1474.[28] It was precipitated by the death of the grand master of St. James, on whom the feeble mind of Henry had been long accustomed to rest for its support, and who was cut off by an acute disorder but a few months previous, in the full prime of his ambitious schemes. The king, notwithstanding the lingering nature of his disease gave him ample time for preparation, expired without a will, or even, as generally asserted, the designation of a successor. This was the more remarkable, not only as being contrary to established usage, but as occurring at a period when the succession had been so long and hotly debated.[29] The testaments of the Castilian sov-

[28] Bernaldez, Reyes Católicos, MS., cap. 10.—Carbajal, Anales, MS., año 74.—Castillo, Crónica, cap. 148.

[29] This topic is involved in no little obscurity, and has been reported with much discrepancy as well as inaccuracy by the modern Spanish historians. Among the ancient, Castillo, the historiographer of Henry IV., mentions certain "testamentary executors," without, however, noticing in any more direct way the existence of a will. Crón., c. 168.) The Curate of Los Palacios refers to a clause reported, he says, to have existed in the testament of Henry IV., in which he declares Joanna his daughter and heir. (Reyes Católicos, MS., cap. 10.) Alonso de Palencia states positively that there was no such instrument, and that Henry, on being asked who was to succeed him, referred to his secretary Juan Gonzalez for a knowledge of his intention. (Crón., c. 92.) L. Marineo also states that the king, "with his usual improvidence," left no will. (Cosas memorables, fol. 155.) Pulgar, another contemporary, expressly declares that he executed no will, and quotes the words dictated by him to his secretary, in which he simply designates two of the grandees as "executors of his soul" (*albaceas de su anima*), and four others in

ereigns, though never esteemed positively binding, and occasionally, indeed, set aside,[30] when deemed unconstitutional or even inexpedient by the legislature, were always allowed to have great weight with the nation.

With Henry the Fourth terminated the male line of the house of Trastamara, who had kept possession of the throne for more than a century, and in the course of only four generations had exhibited every gradation of character, from the bold and chivalrous enterprise of the first Henry of that name, down to the drivelling imbecility of the last.

The character of Henry the Fourth has been sufficiently delineated in that of his reign. He was not without certain amiable qualities, and may be considered as a weak rather than a wicked prince. In persons, however, intrusted with the

conjunction with them as the guardians of his daughter Joanna. (Reyes Cat., p. 31.) It seems not improbable that the existence of this document has been confounded with that of a testament, and that, with reference to it, the phrase above quoted of Castillo, as well as the passage of Bernaldez, is to be interpreted. Carbajal's wild story of the existence of a will, of its secretion for more than thirty years, and its final suppression by Ferdinand, is too naked of testimony to deserve the least weight with the historian. (See his Anales, MS., año 74.) It should be remembered, however, that most of the above-mentioned writers compiled their works after the accession of Isabella, and that none, save Castillo, were the partisans of her rival. It should also be added that in the letters addressed by the princess Joanna to the different cities of the kingdom, on her assuming the title of queen of Castile (bearing date May, 1475), it is expressly stated that Henry IV., on his death-bed, solemnly affirmed her to be his only daughter and lawful heir. These letters were drafted by John de Oviedo (Juan Gonzalez), the confidential secretary of Henry IV. See Zurita, Anales, tom. iv. fol. 235–239.

[30] As was the case with the testaments of Alfonso of Leon and Alfonso the Wise, in the thirteenth century, and with that of Peter the Cruel, in the fourteenth.

degree of power exercised by sovereigns of even the most limited monarchies of this period, a weak man may be deemed more mischievous to the state over which he presides than a wicked one. The latter, feeling himself responsible in the eyes of the nation for his actions, is more likely to consult appearances, and, where his own passions or interests are not immediately involved, to legislate with reference to the general interests of his subjects. The former, on the contrary, is too often a mere tool in the hands of favorites, who, finding themselves screened by the interposition of royal authority from the consequences of measures for which they should be justly responsible, sacrifice without remorse the public weal to the advancement of their private fortunes. Thus the state, made to minister to the voracious appetites of many tyrants, suffers incalculably more than it would from one. So fared it with Castile under Henry the Fourth; dismembered by faction, her revenues squandered on worthless parasites, the grossest violations of justice unredressed, public faith become a jest, the treasury bankrupt, the court a brothel, and private morals too loose and audacious to seek even the veil of hypocrisy! Never had the fortunes of the kingdom reached so low an ebb since the great Saracen invasion.

The historian cannot complain of a want of authentic materials for the reign of Henry IV. Two of the chroniclers of that period, Alonso de Palencia and Enriquez del Castillo, were eye-witnesses and conspicuous actors in the scenes which they recorded, and connected with opposite factions. The former of these writers, Alonso de Palencia, was born, as appears from his work, "De Synonymis," cited by Pellicer (Bibliotheca de Traductores, p. 7), in 1423. Nic.

Antonio has fallen into the error of dating his birth nine years later. (Bibliotheca Vetus, tom. ii. p. 331.) At the age of seventeen, he became page to Alfonso of Carthagena, bishop of Burgos, and, in the family of that estimable prelate, acquired a taste for letters, which never deserted him during a busy political career. He afterwards visited Italy, where he became acquainted with Cardinal Bessarion, and through him with the learned Greek Trapezuntius, whose lectures on philosophy and rhetoric he attended. On his return to his native country, he was raised to the dignity of royal historiographer by Alfonso, younger brother of Henry IV., and competitor with him for the crown. He attached himself to the fortunes of Isabella, after Alfonso's death, and was employed by the archbishop of Toledo in many delicate negotiations, particularly in arranging the marriage of the princess with Ferdinand, for which purpose he made a secret journey into Aragon. On the accession of Isabella, he was confirmed in the office of national chronicler, and passed the remainder of his life in the composition of philological and historical works and translations from the ancient classics. The time of his death is uncertain. He lived to a good old age, however, since it appears from his own statement (see Mendez, Typographia Española (Madrid, 1796), p. 190) that his version of Josephus was not completed till the year 1492.

The most popular of Palencia's writings are his "Chronicle of Henry IV., and his Latin "Decades," continuing the reign of Isabella down to the capture of Baza, in 1489. His historical style, far from scholastic pedantry, exhibits the business-like manner of a man of the world. His Chronicle, which, being composed in the Castilian, was probably intended for popular use, is conducted with little artifice and indeed with a prolixity and minuteness of detail, arising no doubt from the deep interest which as an actor he took in the scenes he describes. His sentiments are expressed with boldness, and sometimes with the acerbity of party feeling. He has been much commended by the best Spanish writers, such as Zurita, Zuñiga, Marina, Clemencin, for his veracity. The internal evidence of this is sufficiently strong in his delineation of those scenes in which he was personally engaged; in his account of others, it will not be difficult to find examples of negligence and inaccuracy. His Latin "Decades" were probably composed with more care, as addressed to a learned class of readers; and they are lauded by Nic. Antonio as an elegant commentary, worthy to be assiduously studied by all who would acquaint themselves with the history of their country. The art of printing has done less perhaps for Spain than for any other country in Europe; and these two valuable histories are still permitted to swell the rich treasure of manuscripts with which her libraries are overloaded.

Enriquez del Castillo, a native of Segovia, was the chaplain and historiographer of King Henry IV., and a member of his privy

council. His situation made him acquainted not only with the policy and intrigues of the court, but with the personal feelings of the monarch, who reposed entire confidence in him, which Castillo repaid with uniform loyalty. He appears very early to have commenced his Chronicle of Henry's reign. On the occupation of Segovia by the young Alfonso, after the battle of Olmedo, in 1467, the chronicler, together with the portion of his history then compiled, was unfortunate enough to fall into the enemy's hands. The author was soon summoned to the presence of Alfonso and his counsellors, to hear and justify, as he could, certain passages of what they termed his "false and frivolous narrative." Castillo, hoping little from a defence before such a prejudiced tribunal, resolutely kept his peace; and it might have gone hard with him, had it not been for his ecclesiastical profession. He subsequently escaped, but never recovered his manuscripts, which were probably destroyed; and, in the Introduction to his Chronicle, he laments that he has been obliged to rewrite the first half of his master's reign.

Notwithstanding Castillo's familiarity with public affairs, his work is not written in the business-like style of Palencia's. The sentiments exhibit a moral sensibility scarcely to have been expected, even from a minister of religion, in the corrupt court of Henry IV.; and the honest indignation of the writer at the abuses which he witnessed sometimes breaks forth in a strain of considerable eloquence. The spirit of his work, notwithstanding its abundant loyalty, may be also commended for its candor in relation to the partisans of Isabella; which has led some critics to suppose that it underwent a *rifacimento* after the accession of that princess to the throne.

Castillo's Chronicle, more fortunate than that of his rival, has been published in a handsome form under the care of Don José Miguel de Flores, Secretary of the Spanish Academy of History, to whose learned labors in this way Castilian literature is so much indebted.

CHAPTER V

ACCESSION OF FERDINAND AND ISABELLA—WAR OF THE SUCCESSION—BATTLE OF TORO

1474–1476

Isabella proclaimed Queen—Settlement of the Crown—Alfonso of Portugal supports Joanna—Invades Castile—Retreat of the Castilians—Appropriation of the Church Plate—Reorganization of the Army—Battle of Toro—Submission of the whole Kingdom—Peace with France and Portugal—Joanna takes the Veil—Death of John II. of Aragon

MOST of the contemporary writers are content to derive Isabella's title to the crown of Castile from the illegitimacy of her rival Joanna. But as this fact, whatever probability it may receive from the avowed licentiousness of the queen, and some other collateral circumstances, was never established by legal evidence, or even made the subject of legal inquiry, it cannot reasonably be adduced as affording in itself a satisfactory basis for the pretensions of Isabella.[1]

[1] The popular belief of Joanna's illegitimacy was founded on the following circumstances:—1. King Henry's first marriage with Blanche of Navarre was dissolved, after it had subsisted twelve years, on the publicly alleged ground of "impotence in the parties." 2. The princess Joanna, the only child of his second queen, Joanna of Portugal, was not born until the eighth year of her marriage, and long after she had become notorious for her gallantries. 3. Although Henry kept several mistresses, whom he maintained in so ostentatious a manner as to excite general scandal, he was never known to have had issue by any one of them.—To counterbalance the presumption afforded by these facts, it should be stated that Henry appears, to the day of his death, to have cherished the princess Joanna as his

FERDINAND THE CATHOLIC

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Goupil & Cie. Paris.

These are to be derived from the will of the nation as expressed by its representatives in cortes. The power of this body to interpret the laws regulating the succession, and to determine the succession itself, in the most absolute manner, is incontrovertible, having been established by repeated precedents from a very ancient period.[2] In the present instance, the legislature, soon after the birth of Joanna, tendered the usual oaths of allegiance to her as heir apparent to the monarchy. On a subsequent occasion, however, the cortes, for reasons deemed sufficient by itself, and under a conviction that its consent to the preceding measure had been obtained through an undue influence on the part of the crown, reversed its former acts, and did homage to Isabella, as the only true and lawful successor.[3] In this disposition the legislature continued so resolute that, notwithstanding

own offspring, and that Beltran de la Cueva, duke of Albuquerque, her reputed father, instead of supporting her claims to the crown on the demise of Henry, as would have been natural had he been entitled to the honors of paternity, attached himself to the adverse faction of Isabella.

Queen Joanna survived her husband about six months only. Father Florez (Reynas Cathólicas, tom. ii. pp. 760–786) has made a flimsy attempt to whitewash her character; but, to say nothing of almost every contemporary historian, as well as of the official documents of that day (see Marina, Teoría, tom. iii. part. 2, num. 11) the stain has been too deeply fixed by the repeated testimony of Castillo, the loyal adherent of her own party, to be thus easily effaced.

It is said, however, that the queen died in the odor of sanctity; and Ferdinand and Isabella caused her to be deposited in a rich mausoleum, erected by the ambassador to the court of the Great Tamerlane for himself, but from which his remains were somewhat unceremoniously ejected, in order to make room for those of his royal mistress.

[2] See this subject discussed *in extenso,* by Marina, Teoría, part. 2, cap. 1–10.—See also Introd. sect. 1 of this History.

[3] See Part I. chap. 3.

Henry twice convoked the states for the express purpose of renewing their allegiance to Joanna, they refused to comply with the summons;[4] and thus Isabella, at the time of her brother's death, possessed a title to the crown unimpaired, and derived from the sole authority which could give it a constitutional validity. It may be added that the princess was so well aware of the real basis of her pretensions that in her several manifestoes, although she adverts to the popular notion of her rival's illegitimacy, she rests the strength of her cause on the sanction of the cortes.

On learning Henry's death, Isabella signified to the inhabitants of Segovia, where she then resided, her desire of being proclaimed queen in that city, with the solemnities usual on such occasions.[5] Accordingly, on the following morning, being the 13th of December, 1474, a numerous assembly, consisting of the nobles, clergy, and public magistrates in their robes of office, waited on her at the alcazar, or castle, and, receiving her under a canopy of rich brocade, escorted her in solemn procession to the principal square of the city, where a broad platform or scaffold had been erected for the performance of the ceremony. Isabella, royally attired, rode on a Spanish jennet, whose bridle was held by two of the civic functionaries, while an officer of her court preceded her on

[4] See Part. I. chap. 4, note 2.

[5] Fortunately, this strong place, in which the royal treasure was deposited, was in the keeping of Andres de Cabrera, the husband of Isabella's friend, Beatriz de Bobadilla. His co-operation at this juncture was so important that Oviedo does not hesitate to declare, "It lay with him to make Isabella or her rival queen, as he listed." Quincuagenas, MS., bat. 1, quinc. 1, dial. 23.

horseback, bearing aloft a naked sword, the symbol of sovereignty. On arriving at the square, she alighted from her palfrey, and, ascending the platform, seated herself on a throne which had been prepared for her. A herald with a loud voice proclaimed, " Castile, Castile for the king Don Ferdinand and his consort Doña Isabella, queen proprietor (*reina proprietaria*) of these kingdoms! " The royal standards were then unfurled, while the peal of bells and the discharge of ordnance from the castle publicly announced the accession of the new sovereign. Isabella, after receiving the homage of her subjects, and swearing to maintain inviolate the liberties of the realm, descended from the platform, and, attended by the same cortége, moved slowly towards the cathedral church; where, after Te Deum had been chanted, she prostrated herself before the principal altar, and, returning thanks to the Almighty for the protection hitherto vouchsafed her, implored him to enlighten her future counsels, so that she might discharge the high trust reposed in her with equity and wisdom. Such were the simple forms that attended the coronation of the monarchs of Castile, previously to the sixteenth century.[6]

The cities favorable to Isabella's cause, comprehending far the most populous and wealthy throughout the kingdom, followed the example of Segovia, and raised the royal standard for their new sovereign. The principal grandees, as well as

[6] Bernaldez, Reyes Católicos, MS., cap. 10.—Carbajal, Anales, MS., año 75.—Alonso de Palencia, Corónica, MS., part. 2, cap. 93.—L. Marineo, Cosas memorables, fol. 155.—Oviedo, Quincuagenas, MS., bat. 1, quinc. 2, dial. 3.

most of the inferior nobility, soon presented themselves from all quarters, in order to tender the customary oaths of allegiance; and an assembly of the estates, convened for the ensuing month of February at Segovia, imparted, by a similar ceremony, a constitutional sanction to these proceedings.[7]

On Ferdinand's arrival from Aragon, where he was staying at the time of Henry's death, occupied with the war of Roussillon, a disagreeable discussion took place in regard to the respective authority to be enjoyed by the husband and wife in the administration of the government. Ferdinand's relatives, with the admiral Henriquez at their head, contended that the crown of Castile, and of course the exclusive sovereignty, was limited to him, as the nearest male representative of the house of Trastamara. Isabella's friends, on the other hand, insisted that these rights devolved solely on her, as the lawful heir and proprietor of the kingdom. The affair was finally referred to the arbitration of the cardinal of Spain and the archbishop of Toledo, who, after careful examination, established by undoubted precedent that the exclusion of females from the succession

[7] Marina, whose peculiar researches and opportunities make him the best, is my only authority for this convention of the cortes. (Teoría, tom. ii. pp. 63, 89.) The extracts he makes from the writ of summons, however, seem to imply that the object was not the recognition of Ferdinand and Isabella, but of their daughter, as successor to the crown. Among the nobles who openly testified their adhesion to Isabella were no less than four of the six individuals to whom the late king had intrusted the guardianship of his daughter Joanna: viz. the grand cardinal of Spain, the constable of Castile, the duke of Infantado, and the count of Benavente.

did not obtain in Castile and Leon, as was the case in Aragon;[8] that Isabella was consequently sole heir of these dominions; and that whatever authority Ferdinand might possess could only be derived through her.* A settlement was then made on the basis of the original marriage contract.[9] All municipal appointments, and collation to ecclesiastical benefices, were to be made in the name of both with the advice and consent of the queen. All fiscal nominations, and issues from the treasury, were to be subject to her order. The commanders of the fortified places were to render homage to her alone. Justice was to be administered by both conjointly when residing in the same place, and by each independently when separate. Proclamations and letters patent were to be subscribed with the signatures of both; their images were to be stamped on the public coin, and the

[8] A precedent for female inheritance, in the latter kingdom, was subsequently furnished by the undisputed succession and long reign of Joanna, daughter of Ferdinand and Isabella, and mother of Charles V. The introduction of the Salic law, under the Bourbon dynasty, opposed a new barrier, indeed; but this has been since swept away by the decree of the late monarch, Ferdinand VII., and the paramount authority of the cortes; and we may hope that the successful assertion of her lawful rights by Isabella II. will put this much-vexed question at rest forever.

[9] See Part I. chap. 3.—Ferdinand's powers are not so narrowly limited, at least not so carefully defined, in this settlement as in the marriage articles. Indeed, the instrument is much more concise and general in its whole import.

* [Isabella had more of Aragonese blood than had Ferdinand. Ferdinand was more Castilian than his wife. He was three-fourths Castilian. Four nationalities were blended in Isabella. Her mother was Isabella of Portugal; her grandmother was Katharine of Lancaster; her great-grandmother was Eleanor of Aragon, the one Aragonese ancestress of Ferdinand.—M.]

united arms of Castile and Aragon emblazoned on a common seal.[10]

Ferdinand, it is said, was so much dissatisfied with an arrangement which vested the essential rights of sovereignty in his consort, that he threatened to return to Aragon; but Isabella reminded him that this distribution of power was rather nominal than real; that their interests were indivisible; that his will would be hers; and that the principle of the exclusion of females from the succession, if now established, would operate to the disqualification of their only child, who was a daughter. By these and similar arguments the queen succeeded in soothing her offended husband, without compromising the prerogatives of her crown.

Although the principal body of the nobility, as has been stated, supported Isabella's cause, there were a few families, and some of them the most potent in Castile, who seemed determined to abide the fortunes of her rival. Among these was the

[10] Salazar de Mendoza, Crón. del Gran Cardenal, lib. 1, cap. 40.—L. Marineo, Cosas memorables, fol. 155, 156.—Zurita, Anales, tom. iv. fol. 222–224.—Pulgar, Reyes Católicos, pp. 35, 36.—See the original instrument signed by Ferdinand and Isabella, cited at length in Dormer's Discursos varios de Historia (Zaragoza, 1683), pp. 295–313.—It does not appear that the settlement was ever confirmed by, or indeed presented to, the cortes. Marina speaks of it, however, as emanating from that body. (Teoría, tom. ii. pp. 63, 64.) From Pulgar's statement, as well as *from the instrument itself,* it seems to have been made under no other auspices or sanction than that of the great nobility and cavaliers. Marina's eagerness to find a precedent for the interference of the popular branch in all the great concerns of government has usually quickened, but sometimes clouded, his optics. In the present instance he has undoubtedly confounded the irregular proceedings of the aristocracy exclusively with the deliberate acts of the legislature.

marquis of Villena, who, inferior to his father in talent for intrigue, was of an intrepid spirit, and is commended by one of the Spanish historians as "the best lance in the kingdom." His immense estates, stretching from Toledo to Murcia, gave him an extensive influence over the southern regions of New Castile. The duke of Arevalo possessed a similar interest in the frontier province of Estremadura. With these were combined the grand master of Calatrava and his brother, together with the young marquis of Cadiz, and, as it soon appeared, the archbishop of Toledo. This latter dignitary, whose heart had long swelled with secret jealousy at the rising fortunes of the cardinal Mendoza, could no longer brook the ascendency which that prelate's consummate sagacity and insinuating address had given him over the counsels of his young sovereigns. After some awkward excuses, he abruptly withdrew to his own estates; nor could the most conciliatory advances on the part of the queen, nor the deprecatory letters of the old king of Aragon, soften his inflexible temper, or induce him to resume his station at the court; until it soon became apparent, from his correspondence with Isabella's enemies, that he was busy in undermining the fortunes of the very individual whom he had so zealously labored to elevate.[11]

[11] Alonso de Palencia, Corónica, MS., part. 2, cap. 94.—Garibay, Compendio, lib. 18, cap. 3.—Bernaldez, Reyes Católicos, MS., cap. 10, 11.—Pulgar, Letras (Madrid, 1775), let. 3, al Arzobispo de Toledo.—The archbishop's jealousy of Cardinal Mendoza is uniformly reported by the Spanish writers as the true cause of his defection from the queen.

Under the auspices of this coalition, propositions were made to Alfonso the Fifth, king of Portugal, to vindicate the title of his niece Joanna to the throne of Castile, and, by espousing her, to secure to himself the same rich inheritance. An exaggerated estimate was at the same time exhibited of the resources of the confederates, which, when combined with those of Portugal, would readily enable them to crush the usurpers, unsupported as the latter must be by the co-operation of Aragon, whose arms already found sufficient occupation with the French.

Alfonso, whose victories over the Barbary Moors had given him the cognomen of "the African," was precisely of a character to be dazzled by the nature of this enterprise. The protection of an injured princess, his near relative, was congenial with the spirit of chivalry; while the conquest of an opulent territory, adjacent to his own, would not only satisfy his dreams of glory, but the more solid cravings of avarice. In this disposition he was confirmed by his son, Prince John, whose hot and enterprising temper found a nobler scope for ambition in such a war than in the conquest of a horde of African savages.[12]

Still there were a few among Alfonso's counsellors possessed of sufficient coolness to discern the difficulties of the undertaking. They reminded him that the Castilian nobles on whom he principally relied were the very persons who had

[12] Ruy de Pina, Chrónica d'el Rey Alfonso V., cap. 173, apud Collecção de Livros inéditos de Historia Portugueza (Lisboa, 1790–93), tom. I.

formerly been most instrumental in defeating the claims of Joanna and securing the succession to her rival; that Ferdinand was connected by blood with the most powerful families of Castile; that the great body of the people, the middle as well as the lower classes, were fully penetrated not only with a conviction of the legality of Isabella's title, but with a deep attachment to her person; while, on the other hand, their proverbial hatred of Portugal would make them too impatient of interference from that quarter to admit the prospect of permanent success.[13]

These objections, sound as they were, were overruled by John's impetuosity and the ambition or avarice of his father. War was accordingly resolved on; and Alfonso, after a vaunting and, as may be supposed, ineffectual summons to the Castilian sovereigns to resign their crown in favor of Joanna, prepared for the immediate invasion of the kingdom at the head of an army amounting, according to the Portuguese historians, to five thousand six hundred horse and fourteen thousand foot. This force, though numerically not so formidable as might have been expected, comprised the flower of the Portuguese chivalry, burning

[13] The ancient rivalry between the two nations was exasperated into the most deadly rancor by the fatal defeat at Aljubarrotta, in 1235, in which fell the flower of the Castilian nobility. King John I. wore mourning, it is said, to the day of his death, in commemoration of this disaster. (Faria y Sousa, Europa Portuguesa, tom. ii. pp. 394–396.—La Clède, Hist. de Portugal, tom. iii. pp. 357–359.) Pulgar, the secretary of Ferdinand and Isabella, addressed, by their order, a letter of remonstrance to the king of Portugal, in which he endeavors, by numerous arguments founded on expediency and justice, to dissuade him from his meditated enterprise. Pulgar, Letras, no. 7.

with the hope of reaping similar laurels to those won of old by their fathers on the plains of Aljubarrotta; while its deficiency in numbers was to be amply compensated by recruits from the disaffected party in Castile, who would eagerly flock to its banners on its advance across the borders. At the same time negotiations were entered into with the king of France, who was invited to make a descent upon Biscay, by a promise, somewhat premature, of a cession of the conquered territory.

Early in May (1475), the king of Portugal put his army in motion, and, entering Castile by the way of Estremadura, held a northerly course towards Placencia, where he was met by the duke of Arevalo and the marquis of Villena, and by the latter nobleman presented to the princess Joanna, his destined bride. On the 12th of the month he was affianced with all becoming pomp to this lady, then scarcely thirteen years of age; and a messenger was despatched to the court of Rome, to solicit a dispensation for their marriage, rendered necessary by the consanguinity of the parties. The royal pair were then proclaimed, with the usual solemnities, sovereigns of Castile; and circulars were transmitted to the different cities, setting forth Joanna's title and requiring their allegiance.[14]

[14] Ruy de Pina, Chrónica d'el Rey Alfonso V., cap. 174–178.—Bernaldez, Reyes Católicos, MS., cap. 16, 17, 18.—Bernaldez states that Alfonso, previously to his invasion, caused largesses of plate and money to be distributed among the Castilian nobles whom he imagined to be well affected towards him. Some of them, the duke of Alva in particular, received his presents and used them in the cause of Isabella.—Faria y Sousa, Europa Portuguesa, tom. ii. pp. 396–398.—Zurita, Anales, tom. iv. fol. 230–240.—La Clède, Hist. de Por-

After some days given to festivity, the army resumed its march, still in a northerly direction, upon Arevalo, where Alfonso determined to await the arrival of the reinforcements which he expected from his Castilian allies. Had he struck at once into the southern districts of Castile, where most of those friendly to his cause were to be found, and immediately commenced active operations with the aid of the marquis of Cadiz, who it was understood was prepared to support him in that quarter, it is difficult to say what might have been the result. Ferdinand and Isabella were so wholly unprepared at the time of Alfonso's invasion, that it is said they could scarcely bring five hundred horse to oppose it. By this opportune delay at Arevalo they obtained space for preparation. Both of them were indefatigable in their efforts. Isabella, we are told, was frequently engaged through the whole night in dictating despatches to her secretaries. She visited in person such of the garrisoned towns as required to be confirmed in their allegiance, performing long and painful journeys on horseback with surprising celerity, and enduring fatigues which, as she was at that time in delicate health, wellnigh proved fatal to her constitution.[15] On an excursion to Toledo, she determined to make one effort more to regain the confidence of her ancient minister, the archbishop.

tugal, tom. iii. pp. 360–362.—Pulgar, Crónica, p. 51.—L. Marineo, Cosas memorables, fol. 156.—Oviedo, Quincuagenas, MS., bat. 1, quinc. 2, dial. 3.

[15] The queen, who was at that time in a state of pregnancy, brought on a miscarriage by her incessant personal exposure. Zurita, Anales, tom. iv. fol. 234.

She accordingly sent an envoy to inform him of her intention to wait on him in person at his residence in Alcalá de Henares. But as the surly prelate, far from being moved by this condescension, returned for answer that, "if the queen entered by one door, he would go out at the other," she did not choose to compromise her dignity by any further advances.

By Isabella's extraordinary exertions, as well as those of her husband, the latter found himself, in the beginning of July, at the head of a force amounting in all to four thousand men-at-arms, eight thousand light horse, and thirty thousand foot, an ill disciplined militia, chiefly drawn from the mountainous districts of the north, which manifested peculiar devotion to his cause; his partisans in the south being preoccupied with suppressing domestic revolt, and with incursions on the frontiers of Portugal.[16]

Meanwhile Alfonso, after an unprofitable detention of nearly two months at Arevalo, marched on Toro, which, by a preconcerted agreement, was delivered into his hands by the governor of the city, although the fortress, under the conduct of a woman, continued to maintain a gallant defence. While occupied with its reduction, Alfonso was invited to receive the submission of the adjacent city and castle of Zamora. The defection of these places, two of the most considerable in the province of Leon, and peculiarly important to the king of

[16] Carbajal, Anales, MS., año 75.—Pulgar, Reyes Católicos, pp. 45–55.—Ferreras, Hist. d'Espagne, tom. vii. p. 411.—Bernaldez, Reyes Católicos, MS., cap. 23.

Portugal from their vicinity to his dominions, was severely felt by Ferdinand, who determined to advance at once against his rival and bring their quarrel to the issue of a battle; in this, acting in opposition to the more cautious counsel of his father, who recommended the policy, usually judged most prudent for an invaded country, of acting on the defensive, instead of risking all on the chances of a single action.

Ferdinand arrived before Toro on the 19th of July, and immediately drew up his army before its walls in order of battle. As the king of Portugal, however, still kept within his defences, Ferdinand sent a herald into his camp, to defy him to a fair field of fight with his whole army, or, if he declined this, to invite him to decide their differences by personal combat. Alfonso accepted the latter alternative; but, a dispute arising respecting the guaranty for the performance of the engagements on either side, the whole affair evaporated, as usual, in an empty vaunt of chivalry.

The Castilian army, from the haste with which it had been mustered, was wholly deficient in battering artillery, and in other means for annoying a fortified city; and, as its communications were cut off in consequence of the neighboring fortresses being in possession of the enemy, it soon became straitened for provisions. It was accordingly decided in a council of war to retreat without further delay. No sooner was this determination known than it excited general dissatisfaction throughout the camp. The soldiers loudly com-

plained that the king was betrayed by his nobles; and a party of over-loyal Biscayans, inflamed by the suspicions of a conspiracy against his person, actually broke into the church where Ferdinand was conferring with his officers, and bore him off in their arms to his own tent, notwithstanding his reiterated explanations and remonstrances. The ensuing retreat was conducted in so disorderly a manner by the mutinous soldiery that Alfonso, says a contemporary, had he but sallied with two thousand horse, might have routed and perhaps annihilated the whole army. Some of the troops were detached to reinforce the garrisons of the loyal cities, but most of them dispersed again among their native mountains. The citadel of Toro soon afterwards capitulated. The archbishop of Toledo, considering these events as decisive of the fortunes of the war, now openly joined the king of Portugal at the head of five hundred lances, boasting at the same time that he "had raised Isabella from the distaff, and would soon send her back to it again." [17]

So disastrous an introduction to the campaign might indeed well fill Isabella's bosom with anxiety. The revolutionary movements which had so long agitated Castile had so far unsettled every man's political principles, and the allegiance of even the most loyal hung so loosely about them, that it was difficult to estimate how far it might be shaken by

[17] Bernaldez, Reyes Católicos, MS., cap. 18.—Faria y Sousa, Europa Portuguesa, tom. ii. pp. 398–400.—Pulgar, Crónica, pp. 55–60.—Ruy de Pina, Chrón. d'el Rey Alfonso V., cap. 179.—La Clède, Hist. de Portugal, tom. iii. p. 366.—Zurita, Anales, tom. iv. fol. 240–243.

such a blow occurring at this crisis.[18] Fortunately, Alfonso was in no condition to profit by his success. His Castilian allies had experienced the greatest difficulty in enlisting their vassals in the Portuguese cause, and, far from furnishing him with the contingents which he had expected, found sufficient occupation in the defence of their own territories against the loyal partisans of Isabella. At the same time, numerous squadrons of light cavalry from Estremadura and Andalusia, penetrating into Portugal, carried the most terrible desolation over the whole extent of its unprotected borders. The Portuguese knights loudly murmured at being cooped up in Toro while their own country was made the theatre of war; and Alfonso saw himself under the necessity of detaching so considerable a portion of his army for the defence of his frontier as entirely to cripple his future operations. So deeply, indeed, was he impressed by these circumstances with the difficulty of his enterprise, that, in a negotiation with the Castilian sovereigns at this time, he expressed a willingness to resign his claims to their crown in consideration of the cession of Galicia, together with the cities of Toro and Zamora, and a considerable sum of money. Ferdinand and his ministers, it is reported, would have accepted the proposal; but Isabella, although acquiescing in the stipulated money payment, would not consent to the dismemberment of a single inch of the Castilian territory.

[18] "Pues no os maravilleis de eso," says Oviedo, in relation to these troubles, "que nó solo entre hermanos suele haber esas diferencias, mas entre padre é hijo lo vimos ayer, como suelen decir." Quincuagenas, MS., bat. 1, quinc. 2, dial. 3.

In the mean time both the queen and her husband, undismayed by past reverses, were making every exertion for the reorganization of an army on a more efficient footing. To accomplish this object, an additional supply of funds became necessary, since the treasure of King Henry, delivered into their hands by Andres de Cabrera at Segovia, had been exhausted by the preceding operations.[19] The old king of Aragon advised them to imitate their ancestor Henry the Second, of glorious memory, by making liberal grants and alienations in favor of their subjects, which they might, when more firmly seated on the throne, resume at pleasure. Isabella, however, chose rather to trust to the patriotism of her people than have recourse to so unworthy a stratagem. She accordingly convened an assembly of the states, in the month of August, 1475, at Medina del Campo. As the nation had been too far impoverished under the late reign to admit of fresh exactions, a most extraordinary expedient was devised for meeting the stipulated requisitions. It was proposed to deliver into the royal treasury half the amount of plate belonging to the churches throughout the kingdom, to be redeemed in the term of three years, for the sum of thirty *cuentos,* or millions, of maravedis. The clergy, who were very generally

[19] The royal coffers were found to contain about 10,000 marks of silver. (Pulgar, Reyes Catól., p. 54.) Isabella presented Cabrera with a golden goblet from her table, engaging that a similar present should be regularly made to him and his successors on the anniversary of his surrender of Segovia. She subsequently gave a more solid testimony of her gratitude, by raising him to the rank of marquis of Moya, with the grant of an estate suitable to his new dignity.—Oviedo, Quincuagenas, MS., bat. 1, quinc. 1, dial. 23.

attached to Isabella's interests, far from discouraging this startling proposal, endeavored to vanquish the queen's repugnance to it by arguments and pertinent illustrations drawn from Scripture. This transaction certainly exhibits a degree of disinterestedness, on the part of this body, most unusual in that age and country, as well as a generous confidence in the good faith of Isabella, of which she proved herself worthy by the punctuality with which she redeemed it.[20]

Thus provided with the necessary funds, the sovereigns set about enforcing new levies and bringing them under better discipline, as well as providing for their equipment in a manner more suitable to the exigencies of the service than was done for the preceding army. The remainder of the summer and the ensuing autumn were consumed in these preparations, as well as in placing their fortified towns in a proper posture of defence, and in the reduction of such places as held out against them. The king of Portugal, all this while, lay with his diminished forces in Toro, making a sally on one occasion only, for the relief of his friends, which was frustrated by the sleepless vigilance of Isabella.

Early in December, Ferdinand passed from the

[20] The indignation of Dr. Salazar de Mendoza is roused by this misapplication of the church's money, which he avers "no necessity whatever could justify." This worthy canon flourished in the seventeenth century. (Crón. del Gran Cardenal, p. 147.—Pulgar, Reyes Catól., pp. 60–62.—Faria y Sousa, Europa Portuguesa, tom. ii. p. 400.—Rades y Andrada, Las tres Ordenes, part. 1, fol. 67.—Zurita, Anales, tom. iv. fol. 243.—Bernaldez, Reyes Católicos, MS., cap. 18, 20.) Zuñiga gives some additional particulars respecting the grant of the cortes, which I do not find verified by any contemporary author. Annales de Sevilla, p. 372.

siege of Burgos, in Old Castile, to Zamora, whose inhabitants expressed a desire to return to their ancient allegiance; and, with the co-operation of the citizens, supported by a large detachment from his main army, he prepared to invest its citadel. As the possession of this post would effectually intercept Alfonso's communications with his own country, he determined to relieve it at every hazard, and for this purpose despatched a messenger into Portugal, requiring his son, Prince John, to reinforce him with such levies as he could speedily raise. All parties now looked forward with eagerness to a general battle, as to a termination of the evils of this long-protracted war.

The Portuguese prince, having with difficulty assembled a corps amounting to two thousand lances and eight thousand infantry, took a northerly circuit round Galicia, and effected a junction with his father in Toro, on the 14th of February, 1476. Alfonso, thus reinforced, transmitted a pompous circular to the pope, the king of France, his own dominions, and those well affected to him in Castile, proclaiming his immediate intention of taking the usurper, or of driving him from the kingdom. On the night of the 17th, having first provided for the security of the city by leaving in it a powerful reserve, Alfonso drew off the residue of his army, probably not much exceeding three thousand five hundred horse and five thousand foot, well provided with artillery and with arquebuses, which latter engine was still of so clumsy and unwieldly construction as not to have entirely superseded the ancient weapons of European

warfare. The Portuguese army, traversing the bridge of Toro, pursued their march along the southern side of the Douro, and reached Zamora, distant only a few leagues, before the dawn.[21]

At break of day, the Castilians were surprised by the array of floating banners, and martial panoply glittering in the sun, from the opposite side of the river, while the discharges of artillery still more unequivocally announced the presence of the enemy. Ferdinand could scarcely believe that the Portuguese monarch, whose avowed object had been the relief of the castle of Zamora, should have selected a position so obviously unsuitable for this purpose. The intervention of the river, between him and the fortress situated at the northern extremity of the town, prevented him from relieving it, either by throwing succors into it, or by annoying the Castilian troops, who, intrenched in comparative security within the walls and houses of the city, were enabled by means of certain elevated positions, well garnished with artillery, to inflict much heavier injury on their opponents than they could possibly receive from them. Still Ferdinand's men, exposed to the double fire of the fortress and the besiegers, would willingly have come to an engagement with the latter; but the river, swollen by winter torrents, was not fordable, and the bridge, the only direct

[21] Carbajal, Anales, MS., años 75, 76.—Ruy de Pina, Chrón. d'el Rey Alfonso V., cap. 187, 189.—Bernaldez, Reyes Católicos, MS., cap. 20, 22.—Pulgar, Reyes Católicos, pp. 63–78.—L. Marineo, Cosas memorables, fol. 156.—Faria y Sousa, Europa Portuguesa, tom. ii. pp. 401, 404.—Several of the contemporary Castilian historians compute the Portuguese army at double the amount given in the text.

avenue to the city, was enfiladed by the enemy's cannon, so as to render a sally in that direction altogether impracticable. During this time, Isabella's squadrons of light cavalry, hovering on the skirts of the Portuguese camp, effectually cut off its supplies, and soon reduced it to great straits for subsistence. This circumstance, together with the tidings of the rapid advance of additional forces to the support of Ferdinand, determined Alfonso, contrary to all expectation, on an immediate retreat; and, accordingly, on the morning of the 1st of March, being little less than a fortnight from the time in which he commenced this empty gasconade, the Portuguese army quitted its position before Zamora, with the same silence and celerity with which it had occupied it.

Ferdinand's troops would instantly have pushed after the fugitives, but the latter had demolished the southern extremity of the bridge before their departure; so that, although some few effected an immediate passage in boats, the great body of the army was necessarily detained until the repairs were completed, which occupied more than three hours. With all the expedition they could use, therefore, and leaving their artillery behind them, they did not succeed in coming up with the enemy until nearly four o'clock in the afternoon, as the latter was defiling through a narrow pass formed by a crest of precipitous hills on the one side, and the Douro on the other, at the distance of about five miles from the city of Toro.[22]

[22] Pulgar, Reyes Católicos, pp. 82–85.—Zurita, Anales, tom. iv. fol. 252, 253.—Faria y Sousa, Europa Portuguesa, tom. ii. pp. 404, 405.—

A council of war was then called, to decide on the expediency of an immediate assault. It was objected, that the strong position of Toro would effectually cover the retreat of the Portuguese in case of their discomfiture; that they would speedily be reinforced by fresh recruits from that city, which would make them more than a match for Ferdinand's army, exhausted by a toilsome march, as well as by its long fast, which it had not broken since the morning; and that the celerity with which it had moved had compelled it not only to abandon its artillery, but to leave a considerable portion of the heavy-armed infantry in the rear. Notwithstanding the weight of these objections, such were the high spirit of the troops and their eagerness to come to action, sharpened by the view of the quarry, which after a wearisome chase seemed ready to fall into their hands, that they were thought more than sufficient to counterbalance every physical disadvantage; and the question of battle was decided in the affirmative.

As the Castilian army emerged from the defile into a wide and open plain, they found that the enemy had halted, and was already forming in order of battle. The king of Portugal led the centre, with the archbishop of Toledo on his right wing, its extremity resting on the Douro; while the left, comprehending the arquebusiers and the strength of the cavalry, was placed under the command of his son, Prince John. The numerical

Bernaldez, Reyes Católicos, MS., cap. 23.—Ruy de Pina, Chrón. d'el Rey Alfonso V., cap. 190.

force of the two armies, although in favor of the Portuguese, was nearly equal, amounting probably in each to less than ten thousand men, about one-third being cavalry. Ferdinand took his station in the centre, opposite his rival, having the admiral and the duke of Alva on his left; while his right wing, distributed into six battles or divisions, under their several commanders, was supported by a detachment of men-at-arms from the provinces of Leon and Galicia.

The action commenced in this quarter. The Castilians, raising the war-cry of " St. James and St. Lazarus," advanced on the enemy's left under Prince John, but were saluted with such a brisk and well-directed fire from his arquebusiers, that their ranks were disconcerted. The Portuguese men-at-arms, charging them at the same time, augmented their confusion and compelled them to fall back precipitately on the narrow pass in their rear, where, being supported by some fresh detachments from the reserve, they were with difficulty rallied by their officers, and again brought into the field. In the mean while, Ferdinand closed with the enemy's centre, and the action soon became general along the whole line. The battle raged with redoubled fierceness in the quarter where the presence of the two monarchs infused new ardor into their soldiers, who fought as if conscious that this struggle was to decide the fate of their masters. The lances were shivered at the first encounter, and, as the ranks of the two armies mingled with each other, the men fought hand to hand with their swords, with a fury sharpened by the ancient

rivalry of the two nations, making the whole a contest of physical strength rather than skill.[23]

The royal standard of Portugal was torn to shreds in the attempt to seize it on the one side and to preserve it on the other; while its gallant bearer, Edward de Almeyda, after losing first his right arm, and then his left, in its defence, held it firmly with his teeth until he was cut down by the assailants. The armor of this knight was to be seen as late as Mariana's time, in the cathedral church of Toledo, where it was preserved as a trophy of this desperate act of heroism, which brings to mind a similar feat recorded in Grecian story.

The old archbishop of Toledo, and the cardinal Mendoza, who, like his reverend rival, had exchanged the crosier for the corselet, were to be seen on that day in the thickest of the *mêlée*. The holy wars with the infidel perpetuated the unbecoming spectacle of militant ecclesiastics among the Spaniards, to a still later period, and long after it had disappeared from the rest of civilized Europe.

At length, after an obstinate struggle of more than three hours, the valor of the Castilian troops prevailed, and the Portuguese were seen to give way in all directions. The duke of Alva, by succeeding in turning their flank while they were thus vigorously pressed in front, completed their

[23] Carbajal, Anales, MS., año 76.—L. Marineo, Cosas memorables, fol. 158.—Pulgar, Reyes Católicos, pp. 85–89.—Faria y Sousa, Europa Portuguesa, tom. ii. pp. 404, 405.—Bernaldez, Reyes Católicos, MS., cap. 23.—La Clède, Hist. de Portugal, tom. iii. pp. 378–383.—Zurita, Anales, tom. iv. 252–255.

disorder, and soon converted their retreat into a rout. Some, attempting to cross the Douro, were drowned; and many, who endeavored to effect an entrance into Toro, were entangled in the narrow defile of the bridge, and fell by the sword of their pursuers, or miserably perished in the river, which, bearing along their mutilated corpses, brought tidings of the fatal victory to Zamora. Such were the heat and fury of the pursuit, that the intervening night rendered darker than usual by a driving rain-storm, alone saved the scattered remains of the army from destruction. Several Portuguese companies, under favor of this obscurity contrived to elude their foes by shouting the Castilian battle-cry. Prince John, retiring with a fragment of his broken squadrons to a neighboring eminence, succeeded, by lighting fires and sounding his trumpets, in rallying round him a number of fugitives; and, as the position he occupied was too strong to be readily forced, and the Castilian troops were too weary, and well satisfied with their victory, to attempt it, he retained possession of it till morning, when he made good his retreat into Toro. The king of Portugal, who was missing, was supposed to have perished in the battle, until, by advices received from him late on the following day, it was ascertained that he had escaped without personal injury, and with three or four attendants only, to the fortified castle of Castro Nuño, some leagues distant from the field of action. Numbers of his troops, attempting to escape across the neighboring frontiers into their own country, were maimed or massacred by the

Spanish peasants, in retaliation of the excesses wantonly committed by them in their invasion of Castile. Ferdinand, shocked at this barbarity, issued orders for the protection of their persons, and freely gave safe-conducts to such as desired to return into Portugal. He even, with a degree of humanity more honorable, as well as more rare, than military success, distributed clothes and money to several prisoners brought into Zamora in a state of utter destitution, and enabled them to return in safety to their own country.[24]

The Castilian monarch remained on the field of battle till after midnight, when he returned to Zamora, being followed in the morning by the cardinal of Spain and the admiral Henriquez, at the head of the victorious legions. Eight standards, with the greater part of the baggage, were taken in the engagement, and more than two thousand of the enemy slain or made prisoners. Queen Isabella, on receiving tidings of the event at Tordesillas, where she then was, ordered a procession to the church of St. Paul in the suburbs, in which she herself joined, walking barefoot with all humility, and offered up a devout thanksgiving to the God

[24] Faria y Sousa claims the honors of the victory for the Portuguese, because Prince John kept the field till morning. Even M. La Clède, with all his deference to the Portuguese historian, cannot swallow this. Faria y Sousa, Europa Portuguesa, tom. ii. pp. 405–410.—Oviedo, Quincuagenas, MS., bat. 1, quinc. 1, dial. 8.—Salazar de Mendoza, Crón. del Gran Cardenal, lib. 1, cap. 46.—Pulgar, Reyes Católicos, pp. 85–90.—L. Marineo, Cosas memorables, fol. 158.—Carbajal, Anales, MS., año 76.—Bernaldez, Reyes Católicos, MS., cap. 23.—Ruy de Pina, Chrón. d'el Rey Alfonso V., cap. 191.—Ferdinand, in allusion to Prince John, wrote to his wife, that, "if it had not been for the chicken, the old cock would have been taken." Garibay, Compendio, lib. 18, cap. 8.

of battles for the victory with which he had crowned her arms.[25]

It was indeed a most auspicious victory, not so much from the immediate loss inflicted on the enemy, as from its moral influence on the Castilian nation. Such as had before vacillated in their faith, and, in the expressive language of Bernaldez, " estaban aviva quien vence,"—were prepared to take sides with the strongest,—now openly proclaimed their allegiance to Ferdinand and Isabella; while most of those who had been arrayed in arms, or had manifested by any other overt act their hostility to the government, vied with each other in demonstrations of the most loyal submission, and sought to make the best terms for themselves which they could. Among these latter, the duke of Arevalo, who indeed had made overtures to this effect some time previous through the agency of his son, together with the grand master of Calatrava, and his brother, the count of Urueña, experienced the lenity of government, and were confirmed in the entire possession of their estates. The two principal delinquents, the marquis of Villena and the archbishop of Toledo, made a show of resistance for some time longer, but, after witnessing the demolition of their castles, the capture of their towns, the desertion of their vassals, and the sequestration of their revenues, were fain to purchase a pardon at the price of the most humble

[25] Pulgar, Reyes Católicos, p. 90.—The sovereigns, in compliance with a previous vow, caused a superb monastery, dedicated to St. Francis, to be erected in Toledo, with the title of San Juan de los Reyes, in commemoration of their victory over the Portuguese. This edifice was still to be seen in Mariana's time.

concessions, and the forfeiture of an ample portion of their domains.

The castle of Zamora, expecting no further succors from Portugal, speedily surrendered, and this event was soon followed by the reduction of Madrid, Baeza, Toro, and other principal cities; so that, in little more than six months from the date of the battle, the whole kingdom, with the exception of a few insignificant posts still garrisoned by the enemy, had acknowledged the supremacy of Ferdinand and Isabella.[26]

Soon after the victory of Toro, Ferdinand was enabled to concentrate a force amounting to fifty thousand men, for the purpose of repelling the French from Guipuscoa, from which they had already twice been driven by the intrepid natives, and whence they again retired with precipitation on receiving news of the king's approach.[27]

Alfonso, finding his authority in Castile thus rapidly melting away before the rising influence of Ferdinand and Isabella, withdrew with his virgin bride into Portugal, where he formed the resolution of visiting France in person, and soliciting succor from his ancient ally, Louis the Eleventh. In spite of every remonstrance, he put this extraordinary scheme into execution. He reached France, with a retinue of two hundred followers,

[26] Rades y Andrada, Las tres Ordenes, tom. ii. fol. 79, 80.—Pulgar, Reyes Católicos, cap. 48–50, 55, 60.—Zurita, Anales, lib. 19, cap. 46, 48, 54, 58.—Ferreras, Hist. d'Espagne, tom. vii. pp. 476–478, 517–519, 546.—Bernaldez, Reyes Católicos, MS., cap. 10.—Oviedo, Quincuagenas, MS., bat. 1, quinc. 1, dial. 8.

[27] Gaillard, Rivalité, tom. iii. pp. 290–292.—Carbajal, Anales, MS., año 76.

in the month of September. He experienced everywhere the honors due to his exalted rank, and to the signal mark of confidence which he thus exhibited towards the French king. The keys of the cities were delivered into his hands, the prisoners were released from their dungeons, and his progress was attended by a general jubilee. His brother monarch, however, excused himself from affording more substantial proofs of his regard, until he should have closed the war then pending between him and Burgundy, and until Alfonso should have fortified his title to the Castilian crown by obtaining from the pope a dispensation for his marriage with Joanna.

The defeat and death of the duke of Burgundy, whose camp before Nancy Alfonso visited in the depth of winter, with the chimerical purpose of effecting a reconciliation between him and Louis, removed the former of these impediments; * as, in good time, the compliance of the pope did the latter. But the king of Portugal found himself no nearer the object of his negotiations; and, after waiting a whole year a needy suppliant at the court of Louis, he at length ascertained that his insidious host was concerting an arrangement with his mortal foes, Ferdinand and Isabella. Alfonso, whose character always had a spice of Quixotism in it, seems to have completely lost his wits at this last reverse of fortune. Overwhelmed with shame at his own credulity, he felt himself unable

* [The death of the duke of Burgundy, instead of closing, or averting, the war for which Louis had assembled his forces, was the signal for its commencement, being followed by an immediate invasion of the Burgundian dominions.—K.]

to encounter the ridicule which awaited his return to Portugal, and secretly withdrew, with two or three domestics only, to an obscure village in Normandy, whence he transmitted an epistle to Prince John, his son, declaring "that, as all earthly vanities were dead within his bosom, he resolved to lay up an imperishable crown by performing a pilgrimage to the Holy Land, and devoting himself to the service of God in some retired monastery;" and he concluded with requesting his son "to assume the sovereignty at once, in the same manner as if he had heard of his father's death." [28]

Fortunately Alfonso's retreat was detected before he had time to put his extravagant project in execution, and his trusty followers succeeded, though with considerable difficulty, in diverting him from it; while the king of France, willing to be rid of his importunate guest, and unwilling perhaps to incur the odium of having driven him to so desperate an extremity as that of his projected pilgrimage, provided a fleet of ships to transport him back to his own dominions, where, to complete the farce, he arrived just five days after the ceremony of his son's coronation as king of Portugal (Nov. 15, 1478). Nor was it destined that the luckless monarch should solace himself, as he had hoped, in the arms of his youthful bride; since the pliant pontiff, Sixtus the Fourth, was ultimately persuaded by the court of Castile to issue a new bull

[28] Bernaldez, Reyes Católicos, MS., cap. 27.—Pulgar, Reyes Católicos, cap. 56, 57.—Gaillard, Rivalité, tom. iii. pp. 290–292.—Zurita, Anales, lib. 19, cap. 56, lib. 20, cap. 10.—Ruy de Pina, Chrónica d'el Rey Alfonso V., cap. 194–202.—Faria y Sousa, Europa Portuguesa, tom. ii. pp. 412–415.—Comines, Mémoires, liv. 5, chap. 7.

overruling the dispensation formerly conceded, on the ground that it had been obtained by a misrepresentation of facts.

Prince John, whether influenced by filial piety or prudence, resigned the crown of Portugal to his father, soon after his return;[29] and the old monarch was no sooner reinstated in his authority than, burning with a thirst for vengeance, which made him insensible to every remonstrance, he again prepared to throw his country into combustion by reviving his enterprise against Castile.[30]

While these hostile movements were in progress (1478), Ferdinand, leaving his consort in possession of a sufficient force for the protection of the frontiers, made a journey into Biscay for the purpose of an interview with his father, the king of Aragon, to concert measures for the pacification of Navarre, which still continued to be rent with those sanguinary feuds that were bequeathed like a precious legacy from one generation to another.[31] In the autumn of the same year a treaty

[29] According to Faria y Sousa, John was walking along the shores of the Tagus, with the duke of Braganza, and the cardinal archbishop of Lisbon, when he received the unexpected tidings of his father's return to Portugal. On his inquiring of his attendants how he should receive him, "How but as your king and father?" was the reply; at which John, knitting his brow, skimmed a stone which he held in his hand, with much violence, across the water. The cardinal, observing this, whispered to the duke of Braganza, "I will take good care that that stone does not rebound on me." Soon after, he left Portugal for Rome, where he fixed his residence. The duke lost his life on the scaffold for imputed treason, soon after John's accession. —Europa Portuguesa, tom. ii. p. 416.

[30] Comines, Mémoires, liv. 5, chap. 7.—Faria y Sousa, Europa Portuguesa, tom. ii. p. 116.—Zurita, Anales, lib. 20, cap. 25.—Bernaldez, Reyes Católicos, MS., cap. 27.

[31] This was the first meeting between father and son since the elevation of the latter to the Castilian throne. King John would not

of peace was definitely adjusted between the plenipotentiaries of Castile and France, at St. Jean de Luz, in which it was stipulated, as a principal article, that Louis the Eleventh should disconnect himself from his alliance with Portugal, and give no further support to the pretensions of Joanna.[32]

Thus released from apprehension in this quarter, the sovereigns were enabled to give their undivided attention to the defence of the western borders. Isabella, accordingly, early in the ensuing winter, passed into Estremadura for the purpose of repelling the Portuguese, and still more of suppressing the insurrectionary movements of certain of her own subjects, who, encouraged by the vicinity of Portugal, carried on from their private fortresses a most desolating and predatory warfare over the circumjacent territory. Private mansions and farm-houses were pillaged and burnt to the ground, the cattle and crops swept away in their forays, the highways beset, so that all travelling was at an end, all communication cut off, and a rich and populous district converted at once into a desert. Isabella, supported by a body of regular troops and a detachment of the Holy Brotherhood, took her station at Truxillo, as a

allow Ferdinand to kiss his hand; he chose to walk on his left; he attended him to his quarters, and, in short, during the whole twenty days of their conference, manifested towards his son all the deference which, as a parent, he was entitled to receive from him. This he did on the ground that Ferdinand, as king of Castile, represented the elder branch of Trastamara, while he represented only the younger. It will not be easy to meet with an instance of more punctilious etiquette, even in Spanish history.—Pulgar, Reyes Católicos, cap. 75.

[32] Salazar de Mendoza, Crón. del Gran Cardenal, p. 162.—Zurita, Anales, lib. 20, cap. 25.—Carbajal, Anales, MS., año 79.

central position, whence she might operate on the various points with greatest facility. Her counsellors remonstrated against this exposure of her person in the very heart of the disaffected country; but she replied that " it was not for her to calculate perils or fatigues in her own cause, nor by an unseasonable timidity to dishearten her friends, with whom she was now resolved to remain until she had brought the war to a conclusion." She then gave immediate orders for laying siege at the same time to the fortified towns of Medellin, Merida, and Deleytosa.

At this juncture the infanta Doña Beatriz of Portugal, sister-in-law of King Alfonso, and maternal aunt of Isabella, touched with grief at the calamities in which she saw her country involved by the chimerical amibtion of her brother, offered herself as the mediator of peace between the belligerent nations. Agreeably to her proposal, an interview took place between her and Queen Isabella at the frontier town of Alcantara. As the conferences of the fair negotiators experienced none of the embarrassments usually incident to such deliberations, growing out of jealousy, distrust, and a mutual design to overreach, but were conducted in perfect good faith, and a sincere desire, on both sides, of establishing a cordial reconciliation, they resulted, after eight days' discussion, in a treaty of peace, with which the Portuguese infanta returned into her own country, in order to obtain the sanction of her royal brother. The articles contained in it, however, were too unpalatable to receive an immediate assent; and it

was not until the expiration of six months, during which Isabella, far from relaxing, persevered with increased energy in her original plan of operations, that the treaty was formally ratified by the court of Lisbon (Sept. 24, 1479).[33]

It was stipulated in this compact that Alfonso should relinquish the title and armorial bearings which he had assumed as king of Castile; that he should resign his claims to the hand of Joanna, and no longer maintain her pretensions to the Castilian throne; that that lady should make the election within six months, either to quit Portugal forever, or to remain there on the condition of wedding Don John, the infant son of Ferdinand and Isabella,[34] so soon as he should attain a marriageable age, or to retire into a convent and take the veil; that a general amnesty should be granted to all such Castilians as had supported Joanna's cause; and, finally, that the concord between the two nations should be cemented by the union of Alonso, son of the prince of Portugal, with the infanta Isabella of Castile.[35]

Thus terminated, after a duration of four years and a half, the War of the Succession. It had fallen with peculiar fury on the border provinces

[33] Ruy de Pina, Chrón. d'el Rey Alfonso V., cap. 206.—L. Marineo, Cosas memorables, fol. 166, 167.—Pulgar, Reyes Católicos, cap. 85, 89, 90.—Faria y Sousa, Europa Portuguesa, tom. ii. pp. 420, 421.—Ferreras, Hist. d'Espagne, tom. vii. p. 538.—Carbajal, Anales, MS., año 79.—Bernaldez, Reyes Católicos, MS., cap. 28, 36, 37.

[34] Born the preceding year, June 28th, 1478. Carbajal, Anales, MS., anno eodem.

[35] L. Marineo, Cosas memorables, fol. 168.—Pulgar, Reyes Católicos, cap. 91.—Faria y Sousa, Europa Portuguesa, tom. ii. pp. 420, 421.—Ruy de Pina, Chrón. d'el Rey Alfonso V., cap. 206.

of Leon and Estremadura, which, from their local position, had necessarily been kept in constant collision with the enemy. Its baneful effects were long visible there, not only in the general devastation and distress of the country, but in the moral disorganization which the licentious and predatory habits of the soldiers necessarily introduced among a simple peasantry. In a personal view, however, the war had terminated most triumphantly for Isabella, whose wise and vigorous administration, seconded by her husband's vigilance, had dispelled the storm which threatened to overwhelm her from abroad, and established her in undisturbed possession of the throne of her ancestors.

Joanna's interests alone were compromised, or rather sacrificed, by the treaty. She readily discerned in the provision for her marriage with an infant still in the cradle, only a flimsy veil intended to disguise the king of Portugal's desertion of her cause. Disgusted with a world in which she had hitherto experienced nothing but misfortune herself, and been the innocent cause of so much to others, she determined to renounce it forever, and seek a shelter in the peaceful shades of the cloister. She accordingly entered the convent of Santa Clara at Coimbra, where, in the following year, she pronounced the irrevocable vows which divorce the unhappy subject of them forever from her species. Two envoys from Castile, Ferdinand de Talavera, Isabella's confessor, and Dr. Diaz de Madrigal, one of her council, assisted at this affecting ceremony; and the reverend father, in a copious exhortation addressed to the youthful

novice, assured her "that she had chosen the better part approved in the Evangelists; that, as spouse of the church, her chastity would be prolific of all spiritual delights; her subjection, liberty,—the only true liberty, partaking more of Heaven than of earth. No kinsman," continued the disinterested preacher, "no true friend, or faithful counsellor, would divert you from so holy a purpose." [36]

Not long after this event, King Alfonso, penetrated with grief at the loss of his destined bride,—the "excellent lady," as the Portuguese continue to call her,—resolved to imitate her example, and exchange his royal robes for the humble habit of a Franciscan friar. He consequently made preparation for resigning his crown anew, and retiring to the monastery of Varatojo, on a bleak eminence near the Atlantic Ocean, when he suddenly fell ill,

[36] Ruy de Pina, Chrón. d'el Rey Alfonso V., cap. 20.—Faria y Sousa, Europa Portuguesa, tom. ii. p. 421.—Pulgar, Reyes Católicos, cap. 92,—L. Marineo speaks of the *Señora muy excelente,* as an inmate of the cloister at the period in which he was writing, 1522 (fol. 168). Notwithstanding her "irrevocable vows," however, Joanna several times quitted the monastery, and maintained a royal state under the protection of the Portuguese monarchs, who occasionally threatened to revive her dormant claims to the prejudice of the Castilian sovereigns. She may be said, consequently, to have formed the pivot on which turned, during her whole life, the diplomatic relations between the courts of Castile and Portugal, and to have been a principal cause of those frequent intermarriages between the royal families of the two countries by which Ferdinand and Isabella hoped to detach the Portuguese crown from her interests. Joanna affected a royal style and magnificence, and subscribed herself "I the Queen," to the last. She died in the palace at Lisbon, in 1530, in the 69th year of her age, having survived most of her ancient friends, suitors, and competitors.—Joanna's history subsequent to her taking the veil has been collected, with his usual precision, by Señor Clemencin, Mem. de la Acad. de Hist., tom. vi., Ilust. 19.

at Cintra, of a disorder which terminated his existence, on the 28th of August, 1481. Alfonso's fiery character, in which all the elements of love, chivalry, and religion were blended together, resembled that of some paladin of romance; as the chimerical enterprises in which he was perpetually engaged seem rather to belong to the age of knight-errantry than to the fifteenth century.[37]

In the beginning of the same year in which the pacification with Portugal secured to the sovereigns the undisputed possession of Castile, another crown devolved on Ferdinand by the death of his father, the king of Aragon, who expired at Barcelona, on the 20th of January, 1479, in the eighty-third year of his age.[38] Such was his admirable constitution, that he retained not only his intellectual but his bodily vigor unimpaired to the last. His long life was consumed in civil faction or foreign wars; and his restless spirit seemed to take delight in these tumultuous scenes, as best fitted to develop its various energies. He combined, however, with this intrepid and even ferocious temper, an address in the management of affairs, which led him to rely, for the accomplishment of his purposes, much more on negotiation than on positive force. He may be said to have been one of the first monarchs who brought into vogue that refined science of the cabinet, which was so profoundly studied by statesmen at the

[37] Faria y Sousa, Europa Portuguesa, tom. ii. p. 423.—Ruy de Pina, Chrón. d'el Rey Alfonso V., cap. 212.

[38] Carbajal, Anales, MS., año 79.—Bernaldez, Reyes Católicos, MS., cap. 42.—Mariana, Hist. de España (ed. Valencia), tom. viii. p. 204, note.—Abarca, Reyes de Aragon, tom. ii. fol. 295.

close of the fifteenth century, and on which his own son Ferdinand furnished the most practical commentary.

The crown of Navarre, which he had so shamelessly usurped, devolved, on his decease, on his guilty daughter Leonora, countess of Foix, who, as we have before noticed, survived to enjoy it only three short weeks. Aragon, with its extensive dependencies, descended to Ferdinand. Thus the two crowns of Aragon and Castile, after a separation of more than four centuries, became indissolubly united, and the foundations were laid of the magnificent empire which was destined to overshadow every other European monarchy.

CHAPTER VI

INTERNAL ADMINISTRATION OF CASTILE

1475–1482

Schemes of Reform—Holy Brotherhood—Tumult at Segovia—The Queen's Presence of Mind—Severe Execution of Justice—Royal Progress through Andalusia—Reorganization of the Tribunals—Castilian Jurisprudence—Plans for reducing the Nobles—Revocation of Grants—Military Orders of Castile—Masterships annexed to the Crown—Ecclesiastical Usurpations resisted—Restoration of Trade—Prosperity of the Kingdom

I HAVE deferred to the present chapter a consideration of the important changes introduced into the interior administration of Castile, after the accession of Isabella, in order to present a connected and comprehensive view of them to the reader without interrupting the progress of the military narrative. The subject may afford an agreeable relief to the dreary details of blood and battle with which we have been so long occupied, and which were rapidly converting the garden of Europe into a wilderness. Such details, indeed, seem to have the deepest interest for contemporary writers; but the eye of posterity, unclouded by personal interest or passion, turns with satisfaction from them to those cultivated arts which can make the wilderness to blossom as the rose.

If there be any being on earth that may be permitted to remind us of the Deity himself, it is the ruler of a mighty empire, who employs the high

powers intrusted to him exclusively for the benefit of his people; who, endowed with intellectual gifts corresponding with his station, in an age of comparative barbarism, endeavors to impart to his land the light of civilization which illumines his own bosom, and to create from the elements of discord the beautiful fabric of social order. Such was Isabella; and such the age in which she lived. And fortunate was it for Spain that her sceptre, at this crisis, was swayed by a sovereign possessed of sufficient wisdom to devise, and energy to execute, the most salutary schemes of reform, and thus to infuse a new principle of vitality into a government fast sinking into premature decrepitude.

The whole plan of reform introduced into the government by Ferdinand and Isabella, or more properly by the latter, to whom the internal administration of Castile was principally referred, was not fully unfolded until the completion of her reign. But the most important modifications were adopted previously to the war of Granada in 1482. These may be embraced under the following heads. I. The efficient administration of justice. II. The codification of the laws. III. The depression of the nobles. IV. The vindication of ecclesiastical rights belonging to the crown from the usurpation of the papal see. V. The regulation of trade. VI. The pre-eminence of the royal authority.

I. The administration of justice. In the dismal anarchy which prevailed in Henry the Fourth's reign, the authority of the monarch and of the

royal judges had fallen into such contempt that the law was entirely without force. The cities afforded no better protection than the open country. Every man's hand seemed to be lifted against his neighbor. Property was plundered; persons were violated; the most holy sanctuaries profaned; and the numerous fortresses scattered throughout the country, instead of sheltering the weak, converted into dens of robbers.[1] Isabella saw no better way of checking this unbounded license than to direct against it that popular engine, the *Santa Hermandad,** or Holy Brotherhood, which had more than once shaken the Castilian monarchs on their throne.

The project for the reorganization of this institution was introduced into the cortes held, the year after Isabella's accession, at Madrigal, in 1476. It was carried into effect by the *junta* of deputies from the different cities of the kingdom, convened at Dueñas in the same year. The new institution differed essentially from the ancient *hermandades,* since, instead of being partial in its extent, it was designed to embrace the whole kingdom; and, instead of being directed, as had often been the

[1] Among other examples, Pulgar mentions that of the alcayde of Castro-Nuño, Pedro de Mendana, who, from the strongholds in his possession, committed such grievous devastations throughout the country, that the cities of Burgos, Avila, Salamanca, Segovia, Valladolid, Medina, and others in that quarter, were fain to pay him a tribute (black mail) to protect their territories from his rapacity. His successful example was imitated by many other knightly freebooters of the period. (Reyes Católicos, part. 2, cap. 66.)—See also extracts cited by Saez from manuscript notices by contemporaries of Henry IV. Monedas de Enrique IV., pp. 1, 2.

* [The earlier organization was simply the Hermandad. Isabella wisely applied to the new Brotherhood the epithet Santa.—M.]

case, against the crown itself, it was set in motion at the suggestion of the latter, and limited in its operation to the maintenance of public order. The crimes reserved for its jurisdiction were all violence or theft committed on the highways or in the open country, and in cities by such offenders as escaped into the country; house-breaking; rape; and resistance of justice. The specification of these crimes shows their frequency; and the reason for designating the open country, as the particular theatre for the operations of the hermandad, was the facility which criminals possessed there for eluding the pursuit of justice, especially under shelter of the strongholds or fortresses with which it was plentifully studded.

An annual contribution of eighteen thousand maravedis was assessed on every hundred *vecinos* or householders, for the equipment and maintenance of a horseman, whose duty it was to arrest offenders and enforce the sentence of the law. On the flight of a criminal, the tocsins of the villages through which he was supposed to have passed were sounded, and the *quadrilleros* or officers of the brotherhood, stationed on the different points, took up the pursuit with such promptness as left little chance of escape. A court of two alcaldes was established in every town containing thirty families, for the trial of all crimes within the jurisdiction of the hermandad; and an appeal lay from them in specified cases to a supreme council. A general junta, composed of deputies from the cities throughout the kingdom, was annually convened for the regulation of affairs, and their

instructions were transmitted to provincial juntas, who superintended the execution of them. The laws enacted at different times in these assemblies were compiled into a code, under the sanction of the junta general, at Tordelaguna, in 1485.[2] The penalties for theft, which are literally written in blood, are specified in this code with singular precision. The most petty larceny was punished with stripes, the loss of a member, or of life itself; and the law was administered with an unsparing rigor, which nothing but the extreme necessity of the case could justify. Capital executions were conducted by shooting the criminal with arrows.* The enactment relating to this provides that "the convict shall receive the sacrament like a Catholic Christian, and after that be executed as speedily as possible, in order that his soul may pass the more securely." [3]

Notwithstanding the popular constitution of the

[2] The *Quaderno* of the laws of the hermandad has now become very rare. That in my possession was printed at Burgos, in 1527. It has since been incorporated, with considerable extension, into the Recopilacion of Philip II.

[3] Quaderno de las Leyes nuevas de la Hermandad (Burgos, 1527), leyes, 1, 2, 3, 4, 5, 6, 8, 16, 20, 36, 37.—Pulgar, Reyes Católicos, part. 2, cap. 51.—L. Marineo, Cosas memorables, fol. 160, ed. 1539.—Mem. de la Acad. de Hist., tom. vi., Ilust. 4.—Carbajal, Anales, MS., año 76.—Lebrija, Rerum Gestarum Decades, fol. 36.—By one of the laws, the inhabitants of such seignorial towns as refused to pay the contributions of the hermandad were excluded from its benefits, as well as from traffic with, and even the power of recovering their debts from, other natives of the kingdom. Ley 33.

* [Because the officers of the Brotherhood were called archers, and because the death punishment was inflicted with arrows, came the phrase once so frequently used in Spain, "Que cada uno mire por el virote." Freely translated, this means simply, "Mind your own business."—M.]

hermandad, and the obvious advantages attending its introduction at this juncture, it experienced so decided an opposition from the nobility, who discerned the check it was likely to impose on their authority, that it required all the queen's address and perseverance to effect its general adoption. The constable de Haro, however, a nobleman of great weight from his personal character, and the most extensive landed proprietor in the north, was at length prevailed on to introduce it among his vassals. His example was gradually followed by others of the same rank; and when the city of Seville and the great lords of Andalusia had consented to receive it, it speedily became established throughout the kingdom. Thus a standing body of troops, two thousand in number, thoroughly equipped and mounted, was placed at the disposal of the crown, to enforce the law and suppress domestic insurrection. The supreme junta, which regulated the counsels of the hermandad, constituted moreover a sort of inferior cortes, relieving the exigencies of government, as we shall see hereafter, on more than one occasion, by important supplies of men and money. By the activity of this new military police, the country was, in the course of a few years, cleared of its swarms of banditti, as well as of the robber chieftains, whose strength had enabled them to defy the law. The ministers of justice found a sure protection in the independent discharge of their duties; and the blessings of personal security and social order, so long estranged from the nation, were again restored to it.

The important benefits resulting from the institution of the hermandad secured its confirmation by successive cortes, for the period of twenty-two years, in spite of the repeated opposition of the aristocracy. At length, in 1498, the objects for which it was established having been completely obtained, it was deemed advisable to relieve the nation from the heavy charges which its maintenance imposed. The great salaried officers were dismissed; a few subordinate functionaries were retained for the administration of justice, over whom the regular courts of criminal law possessed appellate jurisdiction; and the magnificent apparatus of the *Santa Hermandad,* stripped of all but the terrors of its name, dwindled into an ordinary police, such as it has existed, with various modifications of form, down to the present century.[4]

Isabella was so intent on the prosecution of her schemes of reform, that, even in the minuter details, she frequently superintended the execution of them herself. For this she was admirably fitted by her personal address, and presence of mind in danger, and by the influence which a conviction of her integrity gave her over the minds of the people. A remarkable exemplification of this occurred, the year but one after her coronation, at Segovia. The inhabitants, secretly instigated by the bishop of that place and some of the principal citizens, rose against Cabrera, marquis of Moya, to whom

[4] Recopilacion de las Leyes (Madrid, 1640), lib. 8, tit. 13, ley 44.—Zuñiga, Annales de Sevilla, p. 379.—Pulgar, Reyes Católicos, part. 2, cap. 51.—Mem. de la Acad. de Hist., tom. vi. Ilust. 6.—Lebrija, Rerum Gestarum Decad., fol. 37, 38.—Las Pragmáticas del Reyno (Sevilla, 1520), fol. 85.—L. Marineo, Cosas memorables, fol. 160.

the government of the city had been intrusted, and who had made himself generally unpopular by his strict discipline. They even proceeded so far as to obtain possession of the outworks of the citadel, and to compel the deputy of the *alcayde,* who was himself absent, to take shelter, together with the princess Isabella, then the only daughter of the sovereigns, in the interior defences, where they were rigorously blockaded.

The queen, on receiving tidings of the event at Tordesillas, mounted her horse and proceeded with all possible despatch towards Segovia, attended by Cardinal Mendoza, the count of Benavente, and a few others of her court. At some distance from the city, she was met by a deputation of the inhabitants, requesting her to leave behind the count of Benavente and the marchioness of Moya (the former of whom as the intimate friend, and the latter as the wife, of the alcayde, were peculiarly obnoxious to the citizens), or they could not answer for the consequences. Isabella haughtily replied that "she was queen of Castile; that the city was hers, moreover, by right of inheritance; and that she was not used to receive conditions from rebellious subjects." Then, pressing forward with her little retinue through one of the gates, which remained in the hands of her friends, she effected her entrance into the citadel.

The populace, in the mean while, assembling in greater numbers than before, continued to show the most hostile dispositions, calling out, "Death to the alcayde! Attack the castle!" Isabella's attendants, terrified at the tumult, and at the

preparations which the people were making to put their menaces into execution, besought their mistress to cause the gates to be secured more strongly, as the only mode of defence against the infuriated mob. But, instead of listening to their counsel, she bade them remain quietly in the apartment, and descended herself into the court-yard, where she ordered the portals to be thrown open for the admission of the people. She stationed herself at the further extremity of the area, and, as the populace poured in, calmly demanded the cause of the insurrection. "Tell me," said she, "what are your grievances, and I will do all in my power to redress them; for I am sure that what is for your interest must be also for mine, and for that of the whole city." The insurgents, abashed by the unexpected presence of their sovereign, as well as by her cool and dignified demeanor, replied that all they desired was the removal of Cabrera from the government of the city. "He is deposed already," answered the queen, "and you have my authority to turn out such of his officers as are still in the castle, which I shall intrust to one of my own servants, on whom I can rely." The people, pacified by these assurances, shouted, "Long live the queen!" and eagerly hastened to obey her mandates.

After thus turning aside the edge of popular fury, Isabella proceeded with her retinue to the royal residence in the city, attended by the fickle multitude, whom she again addressed on arriving there, admonishing them to return to their vocations, as this was no time for calm inquiry, and

promising that, if they would send three or four of their number to her on the morrow to report the extent of their grievances, she would examine into the affair, and render justice to all parties. The mob accordingly dispersed, and the queen, after a candid examination, having ascertained the groundlessness or gross exaggeration of the charges against Cabrera, and traced the source of the conspiracy to the jealousy of the bishop of Segovia and his associates, reinstated the deposed alcayde in the full possession of his dignities, which his enemies, either convinced of the altered dispositions of the people, or believing that the favorable moment for resistance had escaped, made no further attempts to disturb. Thus by a happy presence of mind, an affair which threatened, at its outset, disastrous consequences, was settled without bloodshed, or compromise of the royal dignity.[5]

In the summer of the following year, 1477, Isabella resolved to pay a visit to Estremadura and Andalusia, for the purpose of composing the dissensions, and introducing a more efficient police, in these unhappy provinces; which, from their proximity to the stormy frontier of Portugal, as well as from the feuds between the great houses of

[5] Carbajal, Anales, MS., año 76.—Pulgar, Reyes Católicos, part. 2, cap. 59.—Ferreras, Hist. d'Espagne, tom. viii. p. 477.—Lebrija, Rerum Gestarum Decad., fol. 41, 42.—Gonzalo de Oviedo lavishes many encomiums on Cabrera, for "his generous qualities, his singular prudence in government, and his solicitude for his vassals, whom he inspired with the deepest attachment." (Quincuagenas, MS., bat. 1, quinc. 1, dial. 23.) The best panegyric on his character is the unshaken confidence which his royal mistress reposed in him to the day of her death.

Guzman and Ponce de Leon, were plunged in the most frightful anarchy. Cardinal Mendoza and her other ministers remonstrated against this imprudent exposure of her person, where it was so little likely to be respected. But she replied, "it was true there were dangers and inconveniences to be encountered; but her fate was in God's hands, and she felt a confidence that he would guide to a prosperous issue such designs as were righteous in themselves and resolutely conducted."

Isabella experienced the most loyal and magnificent reception from the inhabitants of Seville, where she established her head-quarters. The first days of her residence there were consumed in *fêtes,* tourneys, tilts of reeds, and other exercises of the Castilian chivalry. After this she devoted her whole time to the great purpose of her visit, the reformation of abuses. She held her court in the saloon of the alcazar, or royal castle, where she revived the ancient practice of the Castilian sovereigns, of presiding in person over the administration of justice. Every Friday, she took her seat in her chair of state, on an elevated platform covered with cloth of gold, and surrounded by her council, together with the subordinate functionaries, and the insignia of a court of justice. The members of her privy council, and of the high court of criminal law, sat in their official capacity every day in the week, and the queen herself received such suits as were referred to her adjudication, saving the parties the usual expense and procrastination of justice.

By the extraordinary despatch of the queen and

her ministers, during the two months that she resided in the city, a vast number of civil and criminal causes were disposed of, a large amount of plundered property was restored to its lawful owners, and so many offenders were brought to condign punishment, that no less than four thousand suspected persons, it is computed, terrified by the prospect of speedy retribution for their crimes, escaped into the neighboring kingdoms of Portugal and Granada. The worthy burghers of Seville, alarmed at this rapid depopulation of the city, sent a deputation to the queen, to deprecate her anger, and to represent that faction had been so busy of late years in their unhappy town, that there was scarcely a family to be found in it some of whose members were not more or less involved in the guilt. Isabella, who was naturally of a benign disposition, considering that enough had probably been done to strike a salutary terror into the remaining delinquents, was willing to temper justice with mercy, and accordingly granted an amnesty for all past offences, save heresy, on the condition, however, of a general restitution of such property as had been unlawfully seized and retained during the period of anarchy.[6]

But Isabella became convinced that all arrangements for establishing permanent tranquillity in Seville would be ineffectual so long as the feud continued between the great families of Guzman

[6] Zuñiga, Annales de Sevilla, p. 381.—Pulgar, Reyes Católicos, part 2, cap. 65, 70, 71.—Bernaldez, Reyes Católicos, MS., cap. 29.—Carbajal, Anales, año 77.—L. Marineo, Cosas memorables, fol. 162; who says no less than 8000 guilty fled from Seville and Cordova.

and Ponce de Leon. The duke of Medina Sidonia and the marquis of Cadiz, the heads of these houses, had possessed themselves of the royal towns and fortresses, as well as of those which, belonging to the city, were scattered over its circumjacent territory, where, as has been previously stated, they carried on war against each other, like independent potentates. The former of these grandees had been the loyal supporter of Isabella in the War of the Succession. The marquis of Cadiz, on the other hand, connected by marriage with the house of Pacheco, had cautiously withheld his allegiance, although he had not testified his hostility by any overt act. While the queen was hesitating as to the course she should pursue in reference to the marquis, who still kept himself aloof in his fortified castle of Xerez, he suddenly presented himself by night at her residence in Seville, accompanied only by two or three attendants. He took this step, doubtless, from the conviction that the Portuguese faction had nothing further to hope in a kingdom where Isabella reigned not only by the fortune of war, but by the affections of the people; and he now eagerly proffered his allegiance to her, excusing his previous conduct as he best could. The queen was too well satisfied with the submission, however tardy, of this formidable vassal, to call him to severe account for past delinquencies. She exacted from him, however, the full restitution of such domains and fortresses as he had filched from the crown and from the city of Seville, on condition of similar concessions by his rival, the duke of Medina Sidonia. She next attempted to

establish a reconciliation between these belligerent grandees; but, aware that, however pacific might be their demonstrations for the present, there could be little hope of permanently allaying the inherited feuds of a century whilst the neighborhood of the parties to each other must necessarily multiply fresh causes of disgust, she caused them to withdraw from Seville to their estates in the country, and by this expedient succeeded in extinguishing the flame of discord.[7]

In the following year, 1478, Isabella accompanied her husband in a tour through Andalusia, for the immediate purpose of reconnoitring the coast. In the course of this progress, they were splendidly entertained by the duke and marquis at their patrimonial estates. They afterwards proceeded to Cordova, where they adopted a similar policy to that pursued at Seville, compelling the count de Cabra, connected with the blood royal, and Alonso de Aguilar, lord of Montilla, whose factions had long desolated this fair city, to withdraw into the country, and restore the immense possessions which they had usurped both from the municipality and the crown.[8]

One example among others may be mentioned, of the rectitude and severe impartiality with which Isabella administered justice, that occurred in the case of a wealthy Galician knight, named Alvaro

[7] Bernaldez, Reyes Católicos, MS., cap. 29.—Zurita, Anales, tom. iv. fol. 283.—Zuñiga, Annales de Sevilla, p. 382.—Lebrija, Rerum Gestarum Decades, lib. 7.—L. Marineo, Cosas memorables, ubi supra.—Garibay, Compendio, lib. 18, cap. 11.

[8] Bernaldez, Reyes Católicos, MS., cap. 30.—Pulgar, Reyes Católicos, part. 2, cap. 78.

Yañez de Lugo. This person, being convicted of a capital offence, attended with the most aggravating circumstances, sought to obtain a commutation of his punishment by the payment of forty thousand *doblas* of gold to the queen, a sum exceeding at that time the annual rents of the crown. Some of Isabella's counsellors would have persuaded her to accept the donative and appropriate it to the pious purposes of the Moorish war. But, far from being blinded by their sophistry, she suffered the law to take its course, and, in order to place her conduct above every suspicion of a mercenary motive, allowed his estates, which might legally have been confiscated to the crown, to descend to his natural heirs. Nothing contributed more to reestablish the supremacy of law in this reign than the certainty of its execution, without respect to wealth or rank; for the insubordination prevalent throughout Castile was chiefly imputable to persons of this description, who, if they failed to defeat justice by force, were sure of doing so by the corruption of its ministers.[9]

Ferdinand and Isabella employed the same vigorous measures in the other parts of their dominions, which had proved so successful in Andalusia, for the extirpation of the hordes of banditti, and of the robber-knights, who differed in no respect from the former but in their superior power. In Galicia alone, fifty fortresses, the

[9] "Era muy inclinada," says Pulgar, "á facer justicia, tanto que le era imputado seguir mas la via de rigor que de la piedad; y esto facia por remediar á la gran corrupcion de crímines que falló en el Reyno quando subcedió en él." Reyes Católicos, p. 37.

strongholds of tyranny, were razed to the ground, and fifteen hundred malefactors, it was computed, were compelled to fly the kingdom. "The wretched inhabitants of the mountains," says a writer of that age, "who had long since despaired of justice, blessed God for their deliverance, as it were, from a deplorable captivity." [10]

While the sovereigns were thus personally occupied with the suppression of domestic discord, and the establishment of an efficient police, they were not inattentive to the higher tribunals, to whose keeping, chiefly, were intrusted the personal rights and property of the subject. They reorganized the royal or privy council, whose powers, although, as has been noticed in the Introduction, principally of an administrative nature, had been gradually encroaching on those of the superior courts of law. During the last century, this body had consisted of prelates, knights, and lawyers, whose numbers and relative proportions had varied in different times. The right of the great ecclesiastics and nobles to a seat in it was, indeed, recognized, but the transaction of business was reserved for the counsellors specially appointed.[11] Much the larger proportion of these, by the new arrangement, was made up of jurists, whose professional education and experience eminently qualified them for the station. The specific duties and interior management of the

[10] Pulgar, Reyes Católicos, part. 2, cap. 97, 98.—L. Marineo, Cosas memorables, fol. 162.

[11] Ordenanças Reales de Castilla (Burgos, 1528), lib. 2, tit. 3, ley 31.—This constitutional—though, as it would seem, impotent—right of the nobility is noticed by Sempere. (Hist. des Cortès, pp. 123, 129.) It should not have escaped Marina.

council were prescribed with sufficient accuracy. Its authority as a court of justice was carefully limited; but, as it was charged with the principal executive duties of government, it was consulted in all important transactions by the sovereigns, who paid great deference to its opinions, and very frequently assisted at its deliberations.[12]

No change was made in the high criminal court of *alcaldes de corte,* except in its forms of proceeding. But the royal audience, or chancery, the supreme and final court of appeal in civil causes, was entirely remodelled. The place of its sittings, before indeterminate, and consequently occasioning much trouble and cost to the litigants, was fixed at Valladolid. Laws were passed to protect the tribunal from the interference of the crown,

[12] Lib. 2, tit. 3, of the Ordenanças Reales is devoted to the royal council. The number of the members was limited to one prelate, as president, three knights, and eight or nine jurists. (Prólogo.) The sessions were to be held every day, in the palace. (Leyes 1, 2.) They were instructed to refer to the other tribunals all matters not strictly coming within their own jurisdiction. (Ley 4.) Their acts, in all cases except those specially reserved, were to have the force of law without the royal signature. (Leyes 23, 24.) See also Los Doctores Asso y Manuel, Instituciones del Derecho civil de Castilla (Madrid, 1792), Introd. p. 111; and Santiago Agustin Riol, Informe, apud Semanario erudito (Madrid, 1788), tom. iii. p. 114, who is mistaken in stating the number of jurists in the council, at this time, at sixteen,—a change which did not take place till Philip II.'s reign. (Recop. de las Leyes, lib. 2, tit. 4, ley 1.)

Marina denies that the council could constitutionally exercise any judicial authority, at least in suits between private parties, and quotes a passage from Pulgar, showing that its usurpations in this way were restrained by Ferdinand and Isabella. (Teoría, part. 2, cap. 29.) Powers of this nature, however, to a considerable extent, appear to have been conceded to it by more than one statute under this reign. See Recop. de las Leyes (lib. 2, tit. 4, leyes 20, 22, and tit. 5, ley 12), and the unqualified testimony of Riol, Informe, apud Semanario erudito, ubi supra.

and the queen was careful to fill the bench with magistrates whose wisdom and integrity would afford the best guarantee for a faithful interpretation of the law.[13]

In the cortes of Madrigal (1476), and still more in the celebrated one of Toledo (1480), many excellent provisions were made for the equitable administration of justice, as well as for regulating the tribunals. The judges were to ascertain every week, either by personal inspection or report, the condition of the prisons, the number of the prisoners, and the nature of the offences for which they were confined. They were required to bring them to a speedy trial, and afford every facility for their defence. An attorney was provided at the public expense, under the title of "advocate for the poor," whose duty it was to defend the suits of such as were unable to maintain them at their own cost. Severe penalties were enacted against venality in the judges, a gross evil under the preceding reigns, as well as against such counsel as took exorbitant fees, or even maintained actions that were manifestly unjust. Finally, commissioners were appointed to inspect and make report of the

[13] Ordenanças Reales, lib. 2, tit. 4.—Marina, Teoría de las Cortes, part. 2, cap. 25.

By one of the statutes (ley 4), the commission of the judges, which before extended to life, or a long period, was abridged to one year. This important innovation was made at the earnest and repeated remonstrance of cortes, who traced the remissness and corruption, too frequent of late in the court, to the circumstance that its decisions were not liable to be reviewed during life. (Teoría, ubi supra.) The legislature probably mistook the true cause of the evil. Few will doubt, at any rate, that the remedy proposed must have been fraught with far greater.

proceedings of municipal and other inferior courts throughout the kingdom.[14]

The sovereigns testified their respect for the law by reviving the ancient but obsolete practice of presiding personally in the tribunals, at least once a week. "I well remember," says one of their court, "to have seen the queen, together with the Catholic king, her husband, sitting in judgment in the alcazar of Madrid, every Friday, dispensing justice to all such, great and small, as came to demand it. This was indeed the golden age of justice," continues the enthusiastic writer, "and since our sainted mistress has been taken from us, it has been more difficult, and far more costly, to transact business with a stripling of a secretary, than it was with the queen and all her ministers."[15]

By the modifications then introduced, the basis was laid of the judiciary system, such as it has been perpetuated to the present age. The law acquired an authority which, in the language of a Spanish writer, "caused a decree, signed by two or three judges, to be more respected since that time than an army before."[16] But perhaps the results of this improved administration cannot be better conveyed than in the words of an eye-witness. "Whereas," says Pulgar, "the kingdom was pre-

[14] Ordenanças Reales, lib. 2, tit. 1, 3, 4, 15, 16, 17, 19; lib. 3, tit. 2. —Recop. de las Leyes, lib. 2, tit. 4, 5, 16.—Pulgar, Reyes Católicos, part. 2, cap. 94.

[15] Oviedo, Quincuagenas, MS. By one of the statutes of the cortes of Toledo, in 1480, the king was required to take his seat in the council every Friday. (Ordenanças Reales, lib. 2, tit. 3, ley 32.) It was not so new for the Castilians to have good laws, as for their monarchs to observe them.

[16] Sempere, Hist. des Cortès, p. 263.

viously filled with banditti and malefactors of every description, who committed the most diabolical excesses, in open contempt of law, there was now such terror impressed on the hearts of all, that no one dared to lift his arm against another, or even to assail him with contumelious or discourteous language. The knight and the squire, who had before oppressed the laborer, were intimidated by the fear of that justice which was sure to be executed on them; the roads were swept of the banditti; the fortresses, the strongholds of violence, were thrown open, and the whole nation, restored to tranquillity and order, sought no other redress than that afforded by the operation of the law." [17]

II. Codification of the laws. Whatever reforms might have been introduced into the Castilian judicatures, they would have been of little avail without a corresponding improvement in the system of jurisprudence by which their decisions were to be regulated. This was made up of the Visigothic code, as the basis, the *fueros* of the Castilian princes, as far back as the eleventh century, and the " Siete Partidas," the famous compilation of Alfonso the Tenth, digested chiefly from maxims of the civil law.[18] The deficiencies of these ancient

[17] Pulgar, Reyes Católicos, p. 167.—See the strong language, also, of Peter Martyr, another contemporary witness of the beneficial changes in the government. Opus Epistolarum (Amstelodami, 1670), ep. 31.

[18] Prieto y Sotelo, Historia del Derecho real de España (Madrid, 1738), lib. 3, cap. 16–21.—Marina has made an elobarate commentary on Alfonso's celebrated code, in his Ensayo histórico-crítico sobre la antigua Legislacion de Castilla (Madrid, 1808), pp. 269 et seq. The English reader will find a more succinct analysis in Dr. Dunham's

codes had been gradually supplied by such an accumulation of statutes and ordinances as rendered the legislation of Castile in the highest degree complex, and often contradictory. The embarrassment resulting from this occasioned, as may be imagined, much tardiness, as well as uncertainty, in the decisions of the courts, who, despairing of reconciling the discrepancies in their own law, governed themselves almost exclusively by the Roman, so much less accommodated, as it was, than their own, to the genius of the national institutions, as well as to the principles of freedom.[19]

The nation had long felt the pressure of these evils, and made attempts to redress them in repeated cortes. But every effort proved unavailing during the stormy or imbecile reigns of the princes of Trastamara. At length, the subject having been resumed in the cortes of Toledo, in 1480, Dr. Alfonso Diaz de Montalvo, whose professional science had been matured under the reigns of three successive sovereigns, was charged with the com-

History of Spain and Portugal (London, 1832), in Lardner's Cyclopædia, vol. iv. pp. 121–150. The latter has given a more exact and, at the same time, extended view of the early Castilian legislation, probably, than is to be found, in the same compass, in any of the Peninsular writers.

[19] Marina (in his Ensayo histórico-crítico, p. 388) quotes a popular satire of the fifteenth century, directed, with considerable humor, against these abuses, which lead the writer in the last stanza to envy even the summary style of Mahometan justice:

> "En tierra de Moros un solo alcalde
> Libra lo cevil e lo creminal,
> E todo el dia se esta de valde
> Por la justicia andar muy igual:
> Alli non es Azo, nin es Decretal,
> Nin es Roberto, nin la Clementina,
> Salvo discrecion e buena doctrina,
> La qual muestra a todos vevir communal."
>
> p. 389.

mission of revising the laws of Castile, and of compiling a code which should be of general application throughout the kingdom.

This laborious undertaking was accomplished in little more than four years; and his work, which subsequently bore the title of *Ordenanças Reales,* was published, or, as the privilege expresses it, "written with types," *excrito de letra de molde,* at Huete, in the beginning of 1485. It was one of the first works, therefore, which received the honors of the press in Spain; and surely none could have been found, at that period, more deserving of them. It went through repeated editions in the course of that and the commencement of the following century.[20] It was admitted as paramount authority throughout Castile; and, although the many innovations which were introduced in that age of reform required the addition of two subsidiary codes in the latter years of Isabella, the "Ordenanças" of Montalvo continued to be the guide of the tribunals down to the time of Philip the Second, and may be said to have suggested the idea, as indeed it was the basis, of the comprehensive compilation, "Nueva Recopilacion," which has since formed the law of the Spanish monarchy.[21]

[20] Mendez enumerates no less than five editions of this code, by 1500; a sufficient evidence of its authority, and general reception throughout Castile. Typographia Española, pp. 203, 261, 270.

[21] Ordenanças Reales, Prólogo.—Mem. de la Acad. de Hist., tom. vi. Ilust. 9.—Marina, Ensayo histórico-crítico, pp. 390 et seq.—Mendez, Typographia Española, p. 261.—The authors of the three last-mentioned works abundantly disprove Asso y Manuel's insinuation, that Montalvo's code was the fruit of his private study, without any commission for it, and that it gradually usurped an authority which

III. Depression of the nobles. In the course of the preceding chapters, we have seen the extent of the privileges constitutionally enjoyed by the aristocracy, as well as the enormous height to which they had swollen under the profuse reigns of John the Second and Henry the Fourth. This was such, at the accession of Ferdinand and Isabella, as to disturb the balance of the constitution, and to give serious cause of apprehension both to the monarch and the people. The nobles had introduced themselves into every great post of profit or authority. They had ravished from the crown the estates on which it depended for its maintenance as well as dignity. They coined money in their own mints, like sovereign princes; and they covered the country with their fortified castles, whence they defied the law, and desolated the unhappy land with interminable feuds. It was obviously necessary for the new sovereigns to proceed with the greatest caution against this powerful and jealous body, and, above all, to attempt no measure of importance in which they would not be supported by the hearty co-operation of the nation.

The first measure which may be said to have clearly developed their policy was the organization of the hermandad, which, although ostensibly directed against offenders of a more humble description, was made to bear indirectly upon the

it had not in its origin. (Discurso preliminar al Ord de Alcalá.) The injustice of the last remark, indeed, is apparent from the positive declaration of Bernaldez: "Los Reyes mandaron tener en todas las ciudades, villas é lugares el libro de Montalvo, *é por él determinar todas las cosas de justicia para cortar los pléitos.*" Reyes Católicos, MS., cap. 42.

nobility, whom it kept in awe by the number and discipline of its forces, and the promptness with which it could assemble them on the most remote points of the kingdom; while its rights of jurisdiction tended materially to abridge those of the seignorial tribunals. It was accordingly resisted with the greatest pertinacity by the aristocracy; although, as we have seen, the resolution of the queen, supported by the constancy of the commons, enabled her to triumph over all opposition, until the great objects of the institution were accomplished.

Another measure, which insensibly operated to the depression of the nobility, was making official preferment depend less exclusively on rank, and much more on personal merit, than before. "Since the hope of guerdon," says one of the statutes enacted at Toledo, "is the spur to just and honorable actions, when men perceive that offices of trust are not to descend by inheritance, but to be conferred on merit, they will strive to excel in virtue, that they may attain its reward." [22] The sovereigns, instead of confining themselves to the grandees, frequently advanced persons of humble origin, and especially those learned in the law, to the most responsible stations, consulting them, and paying great deference to their opinions, on all matters of importance. The nobles, finding that rank was no longer the sole, or indeed the necessary, avenue to promotion, sought to secure it by attention to more liberal studies, in which they were greatly encouraged by Isabella, who

[22] Ordenanças Reales, lib. 7, tit. 2, ley 13.

admitted their children into her palace, where they were reared under her own eye.[23]

But the boldest assaults on the power of the aristocracy were made in the famous cortes of Toledo, in 1480, which Carbajal enthusiastically styles "cosa divina para reformacion y remedio de las desordenes pasadas."[24] The first object of its attention was the condition of the exchequer, which Henry the Fourth had so exhausted by his reckless prodigality that the clear annual revenue amounted to no more than thirty thousand ducats, a sum much inferior to that enjoyed by many private individuals; so that, stripped of his patrimony, it at last came to be said, he was "king only of the highways." Such had been the royal necessities that blank certificates of annuities assigned on the public rents were hawked about the market, and sold at such a depreciated rate that the price of an annuity did not exceed the amount of one year's income. The commons saw with alarm the weight of the burdens which must devolve on them for the maintenance of the crown thus impoverished in its resources; and they resolved to meet the difficulty by advising at once a resumption of the grants unconstitutionally made during the latter half of Henry the Fourth's reign, and the commencement of the present.[25] This measure, however violent and repugnant to good faith it may appear at the present time, seems then to have admitted of justi-

[23] Oviedo, Quincuagenas, MS., bat. 1, quinc. 1, dial. 44.—Sempere notices this feature of the royal policy. Hist. des Cortès, chap. 24.

[24] Carbajal, Anales, MS. año 80.

[25] See the emphatic language, on this and other grievances, of the Castilian commons, in their memorial to the sovereigns, Apendice,

fication, as far as the nation was concerned; since such alienation of the public revenue was in itself illegal, and contrary to the coronation oath of the sovereign; and those who accepted his obligations held them subject to the liability of their revocation, which had frequently occurred under the preceding reigns.

As the intended measure involved the interests of most of the considerable proprietors in the kingdom, who had thriven on the necessities of the crown, it was deemed proper to require the attendance of the nobility and great ecclesiastics in cortes by a special summons, which it seems had been previously omitted. Thus convened, the legislature appears, with great unanimity, and much to the credit of those most deeply affected by it, to have acquiesced in the proposed resumption of the grants, as a measure of absolute necessity. The only difficulty was to settle the principles on which the retrenchment might be most equitably made, with reference to creditors, whose claims rested on a great variety of grounds. The plan suggested by Cardinal Mendoza seems to have been partially adopted. It was decided that all whose pensions had been conferred without any corresponding services on their part should forfeit them entirely; that those who had purchased annuities should return their certificates on a reimbursement of the price paid for them; and that the remaining creditors, who composed the largest class, should

No. 10, of Clemencin's valuable compilation. The commons had pressed the measure, as one of the last necessity to the crown, as early as the cortes of Madrigal, in 1476. The reader will find the whole petition extracted by Marina, Teoría, tom. ii. cap. 5.

retain such a proportion only of their pensions as might be judged commensurate with their services to the state.[26]

By this important reduction, the final adjustment and execution of which were intrusted to Fernando de Talavera, the queen's confessor, a man of austere probity, the gross amount of thirty millions of maravedis, a sum equal to three-fourths of the whole revenue on Isabella's accession, was annually saved to the crown. The retrenchment was conducted with such strict impartiality that the most confidential servants of the queen, and the relatives of her husband, were among those who suffered the most severely.[27] It is worthy of remark that no diminution whatever was made of the stipends settled on literary and charitable establishments. It may be also added that Isabella appropriated the first-fruits of this measure, by distributing the sum of twenty millions of maravedis among the widows and orphans of those loyalists who had fallen in the War of the Succession.[28]

[26] Salazar de Mendoza, Crón. del Gran Cardenal, cap. 51.—Mem. de la Acad. de Hist., tom. vi. Ilust. 5.—Pulgar, Reyes Católicos, part. 2, cap. 95.—Ordenanças Reales, lib. 6, tit. 4, ley 26;—incorporated also into the Recopilacion of Philip II., lib. 5, tit. 10, cap. 17. See also leyes 3 and 15.

[27] Admiral Enriquez, for instance, resigned 240,000 maravedis of his annual income;—the duke of Alva, 575,000;—the duke of Medina Sidonia 180,000.—The loyal family of the Mendozas were also great losers, but none forfeited so much as the overgrown favorite of Henry IV., Beltran de la Cueva, duke of Albuquerque, who had uniformly supported the royal cause, and whose retrenchment amounted to 1,400,000 maravedis of yearly rent. See the scale of reduction given at length by Señor Clemencin, in Mem. de la Acad., tom. vi. loc cit.

[28] "No monarch," said the high-minded queen, "should consent to alienate his demesnes; since the loss of revenue necessarily deprives

This resumption of grants may be considered as the basis of those economical reforms which, without oppression to the subject, augmented the public revenue more than twelvefold during this auspicious reign.[29]

Several other acts were passed by the same cortes, which had a more exclusive bearing on the nobility. They were prohibited from quartering the royal arms on their escutcheons, from being attended by a mace-bearer and a body-guard, from imitating the regal style of address in their written correspondence, and other insignia of royalty which they had arrogantly assumed. They were forbidden to erect new fortresses, and we have already seen the activity of the queen in procuring the demolition or restitution of the old. They were expressly restrained from duels, an inveterate source of mischief, for engaging in which the parties, both principals and seconds, were subjected to the penalties of treason. Isabella evinced her determination to enforce this law on the highest offenders, by imprisoning, soon after its enactment, the counts of Luna and Valencia for exchanging a cartel of defiance, until the point at issue should be settled by the regular course of justice.[30]

him of the best means of rewarding the attachment of his friends, and of making himself feared by his enemies." Pulgar, Reyes Católicos, part. 1, cap. 4.

[29] Pulgar, Reyes Católicos, ubi supra.—Mem. de la Acad. de Hist., tom. vi. loc. cit.

[30] Ordenanças Reales, lib. 2, tit. 1, ley 2; lib. 4, tit. 9, ley 11.—Pulgar, Reyes Católicos, part. 2, cap. 96, 101.—Recop. de las Leyes, lib. 8, tit. 8, ley 10 et al.—These affairs were conducted in the true spirit of knight-errantry. Oviedo mentions one, in which two young

It is true the haughty nobility of Castile winced more than once at finding themselves so tightly curbed by their new masters. On one occasion, a number of the principal grandees, with the duke of Infantado at their head, addressed a letter of remonstrance to the king and queen, requiring them to abolish the hermandad, as an institution burdensome to the nation, deprecating the slight degree of confidence which their highnesses reposed in their order, and requesting that four of their number might be selected to form a council for the general direction of affairs of state, by whose advice the king and queen should be governed in all matters of importance, as in the time of Henry the Fourth.

Ferdinand and Isabella received this unseasonable remonstrance with great indignation, and returned an answer couched in the haughtiest terms. "The hermandad," they said, "is an institution most salutary to the nation, and is approved by it as such. It is our province to determine who are best entitled to preferment, and to make merit the standard of it. You may follow the court, or retire to your estates, as you think best; but, so long as Heaven permits us to retain the rank with which we have been intrusted, we shall take care not to imitate the example of Henry the Fourth, in becoming a tool in the hands of our nobility." The

men of the noble houses of Velasco and Ponce de Leon agreed to fight on horseback, with sharp spears (*puntas de diamantes*), in doublet and hose, without defensive armor of any kind. The place appointed for the combat was a narrow bridge across the Xarama, three leagues from Madrid. Quincuagenas, MS., bat. 1, quinc. 1, dial. 23.

discontented lords, who had carried so high a hand under the preceding imbecile reign, feeling the weight of an authority which rested on the affections of the people, were so disconcerted by the rebuke, that they made no attempt to rally, but condescended to make their peace separately as they could, by the most ample acknowledgments.[31]

An example of the impartiality as well as spirit with which Isabella asserted the dignity of the crown is worth recording. During her husband's absence in Aragon in the spring of 1481, a quarrel occurred, in the antechamber of the palace at Valladolid, between two young noblemen, Ramiro Nuñez de Guzman, lord of Toral, and Frederick Henriquez, son of the admiral of Castile, King Ferdinand's uncle. The queen, on receiving intelligence of it, granted a safe-conduct to the lord of Toral, as the weaker party, until the affair should be adjusted between them. Don Frederick, however, disregarding this protection, caused his enemy to be waylaid by three of his followers, armed with bludgeons, and sorely beaten one evening in the streets of Valladolid.

Isabella was no sooner informed of this outrage on one whom she had taken under the royal protection, than, burning with indignation, she immediately mounted her horse, though in the midst of a heavy storm of rain, and proceeded alone towards the castle of Simancas, then in possession of the admiral, the father of the offender, where she supposed him to have taken refuge, travelling all the while with such rapidity that she was not overtaken

[31] Ferreras, Hist. d'Espagne, tom. vii. pp. 487, 488.

by the officers of her guard until she had reached the fortress. She instantly summoned the admiral to deliver up his son to justice; and, on his replying that "Don Frederick was not there, and that he was ignorant where he was," she commanded him to surrender the keys of the castle, and, after a fruitless search, again returned to Valladolid. The next day Isabella was confined to her bed by an illness occasioned as much by chagrin as by the excessive fatigue which she had undergone. "My body is lame," said she, "with the blows given by Don Frederick in contempt of my safe-conduct."

The admiral, perceiving how deeply he and his family had incurred the displeasure of the queen, took counsel with his friends, who were led by their knowledge of Isabella's character to believe that he would have more to hope from the surrender of his son than from further attempts at concealment. The young man was accordingly conducted to the palace by his uncle, the constable de Haro, who deprecated the queen's resentment by representing the age of his nephew, scarcely amounting to twenty years. Isabella, however, thought proper to punish the youthful delinquent, by ordering him to be publicly conducted as a prisoner, by one of the alcaldes of her court, through the great square of Valladolid to the fortress of Arevalo, where he was detained in strict confinement, all privilege of access being denied to him; and when at length, moved by the consideration of his consanguinity with the king, she consented to his release, she banished him to Sicily, until he should

receive the royal permission to return to his own country.[32]

Notwithstanding the strict impartiality as well as vigor of the administration, it could never have maintained itself by its own resources alone, in its offensive operations against the high-spirited aristocracy of Castile. Its most direct approaches, however, were made, as we have seen, under cover of the cortes. The sovereigns showed great deference, especially in this early period of their reign, to the popular branch of this body; and, far from pursuing the odious policy of preceding princes in diminishing the amount of represented cities, they never failed to direct their writs to all those which, at their accession, retained the right of representation, and subsequently enlarged the number by the conquest of Granada; while they exercised the anomalous privilege, noticed in the Introduction to this History, of omitting altogether, or issuing only a partial summons to the nobility.[33] By making merit the standard of preferment, they opened the path of honor to every class of the community. They uniformly manifested the greatest tenderness for the rights of the commons in reference to taxation; and, as their patriotic policy was obviously directed to secure the personal rights and general prosperity of the people, it insured

[32] Carbajal, Anales, MS., año 80.—Pulgar, Reyes Católicos, part. 2, cap. 100.

[33] For example, at the great cortes of Toledo, in 1480, it does not appear that any of the nobility were summoned, except those in immediate attendance on the court, until the measure for the resumption of the grants, which so nearly affected that body, was brought before the legislature.

the co-operation of an ally whose weight, combined with that of the crown, enabled them eventually to restore the equilibrium which had been disturbed by the undue preponderance of the aristocracy.

It may be well to state here the policy pursued by Ferdinand and Isabella in reference to the Military Orders of Castile, since, although not fully developed until a much later period, it was first conceived, and indeed partly executed, in that now under discussion.

The uninterrupted warfare, which the Spaniards were compelled to maintain for the recovery of their native land from the infidel, nourished in their bosoms a flame of enthusiasm similar to that kindled by the crusades for the recovery of Palestine, partaking in an almost equal degree of a religious and a military character. This similarity of sentiment gave birth also to similar institutions of chivalry. Whether the military orders of Castile were suggested by those of Palestine, or whether they go back to a remoter period, as is contended by their chroniclers, or whether, in fine, as Conde intimates, they were imitated from corresponding associations known to have existed among the Spanish Arabs,[34] there can be no doubt

[34] Conde gives the following account of these chivalric associations among the Spanish Arabs, which, as far as I know, have hitherto escaped the notice of European historians. "The Moslem *fronteros* professed great austerity in their lives, which they consecrated to perpetual war, and bound themselves by a solemn vow to defend the frontier against the incursions of the Christians. They were choice cavaliers, possessed of consummate patience, and enduring fatigue, and always prepared to die rather than desert their posts. It appears highly probable that the Moorish fraternities

that the forms under which they were permanently organized were derived, in the latter part of the twelfth century, from the monastic orders established for the protection of the Holy Land. The Hospitallers, and especially the Templars,* obtained more extensive acquisitions in Spain than in any, perhaps every, other country in Christendom; and it was partly from the ruins of their empire that were constructed the magnificent fortunes of the Spanish orders.[35]

The most eminent of these was the order of St. Jago, or St. James, of Compostella. The miraculous revelation of the body of the apostle, after the lapse of eight centuries from the date of his interment, and his frequent apparition in the ranks of

suggested the idea of those military orders, so renowned for their valor in Spain and in Palestine, which rendered such essential services to Christendom; for both the institutions were established on similar principles." Conde, Historia de la Dominacion de los Arabes en España (Madrid, 1820), tom. i. p. 619, note.

[35] See the details, given by Mariana, of the overgrown possessions of the Templars in Castile at the period of their extinction, in the beginning of the fourteenth century. (Hist. de España, lib. 15, cap. 10.) The knights of the Temple and the Hospitallers seem to have acquired still greater power in Aragon, where one of the monarchs was so infatuated as to bequeath them his whole dominions, —a bequest which, it may well be believed, was set aside by his high-spirited subjects. Zurita, Anales, lib. 1, cap. 52.

* [When the order of the Templars was suppressed, the knights met with less rigorous treatment in Spain than was experienced in some other parts of Europe. Torture was undoubtedly used to induce confessions, but the sentiment of the people was unquestionably in favor of the order. At a council held in Tarragona in October and November, 1312, sentence was passed upon it. This sentence was read November 4. It pronounced "an unqualified acquittal from all the errors, crimes, and impostures with which they were charged; they were declared beyond suspicion, and no one should dare to defame them." Lea, History of the Inquisition of the Middle Ages, iii. 313.—M.]

the Christian armies in their desperate struggles with the infidel, had given so wide a celebrity to the obscure town of Compostella in Galicia, which contained the sainted relics,[36] that it became the resort of pilgrims from every part of Christendom during the Middle Ages; * and the escalop shell, the device of St. James, was adopted as the universal badge of the palmer. Inns for the refreshment and security of the pious itinerants were scattered along the whole line of the route from France; but, as they were exposed to perpetual annoyance

[36] The apparition of certain preternatural lights in a forest discovered to a Galician peasant, in the beginning of the ninth century, the spot in which was deposited a marble sepulchre containing the ashes of St. James. The miracle is reported with sufficient circumstantiality by Florez (Historia Compostellana, lib. 1, cap. 2, apud España sagrada, tom. xx.) and Ambrosio de Morales (Coránica general de España (Obras, Madrid, 1791–3), lib. 9, cap. 7), who establishes, to his own satisfaction, the advent of St. James into Spain. Mariana, with more skepticism than his brethren, doubts the genuineness of the body, as well as the visit of the apostle, but, like a good Jesuit, concludes, "It is not expedient to disturb with such disputes the devotion of the people, so firmly settled as it is." (Lib. 7, cap. 10.) The tutelar saint of Spain continued to support his people by taking part with them in battle against the infidel down to a very late period. Caro de Torres mentions two engagements in which he cheered on the squadrons of Cortes and Pizarro, "with his sword flashing lightning in the eyes of the Indians." Ordenes militares, fol. 5.

* [Just as in England, when Colet and Erasmus made their journey to the shrine of St. Thomas à Becket, at Canterbury, men's faith in "Our Lady of Walsingham" was so strong that thousands were constantly making pilgrimage to her shrine, and the common people, "as they gazed at night upon the 'milky way,'" believed that it was the starry pathway marked out by heaven to direct pilgrims to the place where the milk of the Holy Virgin was preserved, and called it the "Walsingham Way." So in Galicia the peasants, beholding another throng of pilgrims almost as large, and gazing upon the same Milky Way, called it, from a like reason, "El Camino de Santiago de Compostella."—M.]

from the predatory incursions of the Arabs, a number of knights and gentlemen associated themselves, for their protection, with the monks of St. Lojo, or Eloy, adopting the rule of St. Augustine, and thus laid the foundation of the chivalric order of St. James, about the middle of the twelfth century. The cavaliers of the fraternity, which received its papal bull of approbation five years later, in 1175, were distinguished by a white mantle embroidered with a red cross, in fashion of a sword, with the escalop shell below the guard, in imitation of the device which glittered on the banner of their tutelar saint when he condescended to take part in their engagements with the Moors. The red color denoted, according to an ancient commentator, "that it was stained with the blood of the infidel." The rules of the new order imposed on its members the usual obligations of obedience, community of property, and of conjugal chastity, instead of celibacy. They were, moreover, required to relieve the poor, defend the traveller, and maintain perpetual war upon the Mussulman.[37]

The institution of the Knights of Calatrava was somewhat more romantic in its origin. That town, from its situation on the frontiers of the Moorish territory of Andalusia, where it commanded the passes into Castile, became of vital importance to the latter kingdom. Its defence had accordingly been intrusted to the valiant order of the Tem-

[37] Rades y Andrada, Las tres Ordenes, fol. 3–15.—Caro de Torres, Ordenes militares, fol. 2–8.—Garibay Compendio, tom. ii. pp. 116–118.

plars, who, unable to keep their ground against the pertinacious assaults of the Moslems, abandoned it, at the expiration of eight years, as untenable. This occurred about the middle of the twelfth century; and the Castilian monarch, Sancho the Beloved, as the last resort, offered it to whatever good knights would undertake its defence.

The emprise was eagerly sought by a monk of a distant convent in Navarre, who had once been a soldier, and whose military ardor seems to have been exalted, instead of being extinguished, in the solitude of the cloister. The monk, supported by his conventual brethren, and a throng of cavaliers and more humble followers, who sought redemption under the banner of the church, was enabled to make good his word. From the confederation of these knights and ecclesiastics sprung the military fraternity of Calatrava, which received the confirmation of the pontiff, Alexander the Third, in 1164. The rules which it adopted were those of St. Benedict, and its discipline was in the highest degree austere.

The cavaliers were sworn to perpetual celibacy, from which they were not released till so late as the sixteenth century. Their diet was of the plainest kind. They were allowed meat only thrice a week, and then only one dish. They were to maintain unbroken silence at the table, in the chapel, and the dormitory; and they were enjoined both to sleep and to worship with the sword girt on their sides, in token of readiness for action. In the earlier days of the institution, the spiritual as well as the

military brethren were allowed to make part of the martial array against the infidel, until this was prohibited, as indecorous, by the Holy See. From this order branched off that of Montesa, in Valencia, which was instituted at the commencement of the fourteenth century, and continued dependent on the parent stock.[38]

The third great order of religious chivalry in Castile was that of Alcantara, which also received its confirmation from Pope Alexander the Third, in 1177. It was long held in nominal subordination to the knights of Calatrava, from which it was relieved by Julius the Second, and eventually rose to an importance little inferior to that of its rival.[39]

The internal economy of these three fraternities was regulated by the same general principles. The direction of affairs was intrusted to a council, consisting of the grand master and a number of the commanders (*comendadores*), among whom the extensive territories of the order were distributed. This council, conjointly with the grand master, or the latter exclusively, as in the fraternity of Calatrava, supplied the vacancies. The master himself was elected by a general chapter of these military functionaries alone, or combined with the conventual clergy, as in the order of Calatrava, which seems to have recognized the supremacy of the military over the spiritual division of the

[38] Rades y Andrada, Las tres Ordenes, part. 2, fol. 3–9, 49.—Caro de Torres, Ordenes militares, fol. 49, 50.—Garibay, Compendio, tom. ii. pp. 100–104.

[39] Rades y Andrada, Las tres Ordenes, part. 3, fol. 1–6.—The knights of Alcantara wore a white mantle, embroidered with a green cross.

community more unreservedly than that of St. James.

These institutions appear to have completely answered the objects of their creation. In the earlier history of the Peninsula, we find the Christian chivalry always ready to bear the brunt of battle against the Moors. Set apart for this peculiar duty, their services in the sanctuary only tended to prepare them for their sterner duties in the field of battle, where the zeal of the Christian soldier may be supposed to have been somewhat sharpened by the prospect of the rich temporal acquisitions which the success of his arms was sure to secure to his fraternity; for the superstitious princes of those times, in addition to the wealth lavished so liberally on all monastic institutions, granted the military orders almost unlimited rights over the conquests achieved by their own valor. In the sixteenth century, we find the order of St. James, which had shot up to a pre-eminence above the rest, possessed of eighty-four commanderies and two hundred inferior benefices. The same order could bring into the field, according to Garibay, four hundred belted knights, and one thousand lances, which, with the usual complement of a lance in that day, formed a very considerable force. The rents of the mastership of St. James amounted, in the time of Ferdinand and Isabella, to sixty thousand ducats, those of Alcantara to forty-five thousand, and those of Calatrava to forty thousand. There was scarcely a district of the Peninsula which was not covered with their castles, towns, and convents. Their rich com-

manderies gradually became objects of cupidity to men of the highest rank, and more especially the grand-masterships, which, from their extensive patronage, and the authority they conferred over an organized militia pledged to implicit obedience and knit together by the strong tie of common interest, raised their possessors almost to the level of royalty itself. Hence the elections to these important dignities came to be a fruitful source of intrigue, and frequently of violent collision. The monarchs, who had anciently reserved the right of testifying their approbation of an election, by presenting the standard of the order to the new dignitary, began personally to interfere in the deliberations of the chapter; while the pope, to whom a contested point was not unfrequently referred, assumed at length the prerogative of granting the masterships in administration on a vacancy, and even that of nomination itself, which, if disputed, he enforced by his spiritual thunders.[40]

Owing to these circumstances, there was probably no one cause, among the many which occurred in Castile during the fifteenth century, more prolific of intestine discord than the election to these posts, far too important to be intrusted to any subject, and the succession to which was sure to be contested by a host of competitors. Isabella seems to have settled in her mind the course of policy to be adopted in this matter, at a very early period of

[40] Rades y Andrada, Las tres Ordenes, part. 1, fol. 12–15, 43, 54, 61, 64, 66, 67; part. 2, fol. 11, 51; part. 3, fol. 42, 49, 50.—Caro de Torres, Ordenes militares, passim.—L. Marineo, Cosas memorables, fol. 33.—Garibay, Compendio, lib. 11, cap. 13.—Zurita, Anales, tom. v. lib. 1, cap. 19.—Oviedo, Quincuagenas, MS., bat. 1, quinc. 2, dial. 1.

her reign. On occasion of a vacancy in the grand-mastership of St. James, by the death of the incumbent, in 1476, she made a rapid journey on horseback, her usual mode of travelling, from Valladolid to the town of Ucles, where a chapter of the order was deliberating on the election of a new principal. The queen, presenting herself before this body, represented with so much energy the inconvenience of devolving powers of such magnitude on any private individual, and its utter incompatibility with public order, that she prevailed on them, smarting, as they were, under the evils of a disputed succession, to solicit the administration for the king, her husband. That monarch, indeed, consented to waive this privilege in favor of Alonso de Cardenas, one of the competitors for the office, and a loyal servant of the crown; but, at his decease in 1499, the sovereigns retained the possession of the vacant mastership, conformably to a papal decree, which granted them its administration for life, in the same manner as had been done with that of Calatrava in 1487, and of Alcantara in 1494.[41]

The sovereigns were no sooner vested with the control of the military orders than they began, with their characteristic promptness, to reform the various corruptions which had impaired their

[41] Caro de Torres, Ordenes militares, fol. 46, 74, 83.—Pulgar, Reyes Católicos, part. 2, cap. 64.—Rades y Andrada, Las tres Ordenes, part. 1, fol. 69, 70; part. 2, fol. 82, 83; part. 3, fol. 54.—Oviedo, Quincuagenas, MS., bat. 1, quinc. 2, dial. 1.—The sovereigns gave great offence to the jealous grandees who were competitors for the mastership of St. James, by conferring that dignity on Alonso de Cardenas, with their usual policy of making merit rather than birth the standard of preferment.

ancient discipline. They erected a council for the general superintendence of affairs relating to the orders, and invested it with extensive powers both of civil and criminal jurisdiction. They supplied the vacant benefices with persons of acknowledged worth, exercising an impartiality which could never be maintained by any private individual, necessarily exposed to the influence of personal interests and affections. By this harmonious distribution, the honors which had before been held up to the highest bidder, or made the subject of a furious canvass, became the incentive and sure recompense of desert.[42]

In the following reign, the grand-masterships of these fraternities were annexed in perpetuity to the crown of Castile by a bull of Pope Adrian the Sixth; while their subordinate dignities, having survived the object of their original creation, the subjugation of the Moors, degenerated into the empty decorations, the stars and garters, of an order of nobility.[43]

IV. Vindication of ecclesiastical rights belonging to the crown from papal usurpation. In the earlier stages of the Castilian monarchy, the sovereigns appear to have held a supremacy in spiritual, very similar to that exercised by them in temporal matters. It was comparatively late that the

[42] Caro de Torres, Ordenes militares, fol. 84.—Riol has given a full account of the constitution of this council, Informe, apud Semanario erudito, tom. iii. pp. 164 et seq.

[43] The reader will find a view of the condition and general resources of the military orders as existing in the present century in Spain, in Laborde, Itinéraire descriptif de l'Espagne (2d edition, Paris, 1827–30), tom. v. pp. 102–117.

nation submitted its neck to the papal yoke, so closely riveted at a subsequent period; and even the Romish ritual was not admitted into its churches till long after it had been adopted in the rest of Europe.[44] But, when the code of the Partidas was promulgated in the thirteenth century, the maxims of the canon law came to be permanently established. The ecclesiastical encroached on the lay tribunals. Appeals were perpetually carried up to the Roman court; and the popes, pretending to regulate the minutest details of church economy, not only disposed of inferior benefices, but gradually converted the right of confirming elections to the episcopal and higher ecclesiastical dignities, into that of appointment.[45]

These usurpations of the church had been repeatedly the subject of grave remonstrance in cortes. Several remedial enactments had passed that body during the present reign, especially in relation to the papal provision of foreigners to benefices; an evil of much greater magnitude in Spain than in other countries of Europe, since the episcopal demesnes, frequently covering the

[44] Most readers are acquainted with the curious story, related by Robertson,* of the ordeal to which the Romish and Muzarabic rituals were subjected, in the reign of Alfonso VI., and the ascendency which the combination of kingcraft and priestcraft succeeded in securing to the former in opposition to the will of the nation. Cardinal Ximenes afterwards established a magnificent chapel in the cathedral church of Toledo for the performance of the Muzarabic services, which have been retained there to the present time. Fléchier, Histoire du Cardinal Ximinès (Paris, 1693), p. 142.—Bourgoanne, Travels in Spain, Eng. trans., vol. iii. chap. 1.

[45] Marina, Ensayo histórico-crítico, nos. 322, 334, 341.—Riol, Informe, apud Semanario erudito, pp. 92 et seq.

* [See note, page 44 ante.—M.]

Moorish frontier, became an important line of national defence, obviously improper to be intrusted to the keeping of foreigners and absentees. Notwithstanding the efforts of cortes, no effectual remedy was devised for this latter grievance, until it became the subject of actual collision between the crown and the pontiff, in reference to the see of Taraçona, and afterwards of Cuenca.[46]

Sixtus the Fourth had conferred the latter benefice, on its becoming vacant in 1482, on his nephew, Cardinal San Giorgio, a Genoese, in direct opposition to the wishes of the queen, who would have bestowed it on her chaplain, Alfonso de Burgos, in exchange for the bishopric of Cordova. An ambassador was accordingly despatched by the Castilian sovereigns to Rome, to remonstrate on the papal appointment; but without effect, as Sixtus replied, with a degree of presumption which might better have become his predecessors of the twelfth century, that "he was head of the church, and, as such, possessed of unlimited power in the distribution of benefices, and that he was not bound to consult the inclination of any potentate on earth, any further than might subserve the interests of religion."

The sovereigns, highly dissatisfied with this response, ordered their subjects, ecclesiastical as well as lay, to quit the papal dominions; an injunction

[46] Marina, Ensayo histórico-crítico, nos. 335–337.—Ordenanças Reales, lib. 1, tit. 3, leyes 19, 20; lib. 2, tit. 7, ley 2; lib. 3, tit. 1, ley 6.—Riol, Informe, apud Semanario erudito, loc. cit.—In the latter part of Henry IV.'s reign, a papal bull had been granted against the provision of foreigners to benefices. Mariana, Hist. de España, tom. vii. p. 196, ed. Valencia.

which the former, fearful of the sequestration of their temporalities in Castile, obeyed with as much promptness as the latter. At the same time, Ferdinand and Isabella proclaimed their intention of inviting the princes of Christendom to unite with them in convoking a general council for the reformation of the manifold abuses which dishonored the church. No sound could have grated more unpleasantly on the pontifical ear than the menace of a general council, particularly at this period, when ecclesiastical corruptions had reached a height which could but ill endure its scrutiny. The pope became convinced that he had ventured too far, and that Henry the Fourth was no longer monarch of Castile. He accordingly despatched a legate to Spain, fully empowered to arrange the matter on an amicable basis.

The legate, who was a layman, by name Domingo Centurion, no sooner arrived in Castile than he caused the sovereigns to be informed of his presence there, and the purpose of his mission; but he received orders instantly to quit the kingdom, without attempting so much as to disclose the nature of his instructions, since they could not but be derogatory to the dignity of the crown. A safe-conduct was granted for himself and his suite; but, at the same time, great surprise was expressed that any one should venture to appear, as envoy from his Holiness, at the court of Castile, after it had been treated by him with such unmerited indignity.

Far from resenting this ungracious reception, the legate affected the deepest humility, profess-

ing himself willing to waive whatever immunities he might claim as papal ambassador, and to submit to the jurisdiction of the sovereigns as one of their own subjects, so that he might obtain an audience. Cardinal Mendoza, whose influence in the cabinet had gained him the title of " third king of Spain," apprehensive of the consequences of a protracted rupture with the church, interposed in behalf of the envoy, whose conciliatory deportment at length so far mitigated the resentment of the sovereigns that they consented to open negotiations with the court of Rome. The result was the publication of a bull by Sixtus the Fourth, in which his Holiness engaged to provide such natives to the higher dignities of the church in Castile as should be nominated by the monarchs of that kingdom;[47] and Alfonso de Burgos was accordingly translated to the see of Cuenca. Isabella, on whom the duties of ecclesiastical preferment devolved by the act of settlement, availed herself of the rights thus wrested from the grasp of Rome, to exalt to the vacant sees persons of exemplary piety and learning, holding light, in comparison with the faithful discharge of this duty, every minor consideration of interest, and even the solicitations of her husband, as we shall see hereafter.[48] And the

[47] Riol, in his account of this celebrated concordat, refers to the original instrument, as existing in his time in the archives of Simancas, Semanario erudito, tom. iii. p. 95.

[48] " Lo que es público hoy en España é notorio," says Gonzalo de Oviedo, " nunca los Reyes Cathólicos desearon ni procuraron sino que proveer é presentar para las dignidades de la Iglesia hombres capazes é idoneos para la buena administracion del servicio del culto divino, é á buena enseñanza é utilidad de los Christianos sus vasallos; y entre todos los varones de sus Reynos así por largo

chronicler of her reign dwells with complacency on those good old times, when churchmen were to be found of such singular modesty as to require to be urged to accept the dignities to which their merits entitled them.[49]

V. The regulation of trade. It will be readily conceived that trade, agriculture, and every branch of industry must have languished under the misrule of preceding reigns. For what purpose, indeed, strive to accumulate wealth, when it would only serve to sharpen the appetite of the spoiler? For what purpose cultivate the earth, when the fruits were sure to be swept away, even before harvest time, in some ruthless foray? The frequent famines and pestilences, which occurred in the latter part of Henry's reign and the commencement of his successor's, show too plainly the squalid condition of the people, and their utter destitution of all useful arts. We are assured by the Curate of Los Palacios that the plague broke out in the southern districts of the kingdom, carrying off eight, or nine, or even fifteen thousand inhabitants from the various cities; while the prices of the ordinary aliments of life rose to a height which put them above the reach of the poorer classes of the community. In addition to these physical evils, a fatal shock was given to com-

conoscimiento como por larga é secreta informacion acordaron encojer é elegir," etc. Quincuagenas, MS., dial de Talavera.

[49] Salazar de Mendoza, Crón. del Gran Cardenal, lib. 1, cap. 52.—Idem, Dignidades de Castilla, p. 374.—Pulgar, Reyes Católicos, part. 2, cap. 104.—See also the similar independent conduct pursued by Ferdinand, three years previous, with reference to the see of Taraçona, related by Zurita, Anales, tom. iv. fol. 304.

mercial credit by the adulteration of the coin. Under Henry the Fourth, it is computed that there were no less than one hundred and fifty mints openly licensed by the crown, in addition to many others erected by individuals without any legal authority. The abuse came to such a height that people at length refused to receive in payment of their debts the debased coin, whose value depreciated more and more every day; and the little trade which remained in Castile was carried on by barter, as in the primitive stages of society.[50]

The magnitude of the evil was such as to claim the earliest attention of the cortes under the new monarchs. Acts were passed fixing the standard and legal value of the different denominations of coin. A new coinage was subsequently made. Five royal mints were alone authorized, afterwards augmented to seven, and severe penalties denounced against the fabrication of money elsewhere. The reform of the currency gradually infused new life into commerce, as the return of the circulations, which have been interrupted for a while, quickens the animal body. This was furthered by salutary laws for the encouragement of domestic industry. Internal communication was facilitated by the construction of roads and bridges. Absurd restrictions on change of residence, as well as the onerous duties which had been imposed on commercial intercourse between Castile and Aragon, were repealed. Several judicious

[50] Bernaldez, Reyes Católicos, MS., cap. 44.—See a letter from one of Henry's subjects, cited by Saez, Monedas de Enrique IV., p. 3.—Also the coarse satire (composed in Henry's reign) of Mingo Revulgo, especially coplas 24–27.

laws were enacted for the protection of foreign trade; and the flourishing condition of the mercantile marine may be inferred from that of the military, which enabled the sovereigns to fit out an armament of seventy sail in 1482, from the ports of Biscay and Andalusia, for the defence of Naples against the Turks. Some of their regulations, indeed, as those prohibiting the exportation of the precious metals, savor too strongly of the ignorance of the true principles of commercial legislation which has distinguished the Spaniards to the present day. But others, again, as that for relieving the importation of foreign books from all duties, " because," says the statute, " they bring both honor and profit to the kingdom, by the facilities which they afford for making men learned," are not only in advance of that age, but may sustain an advantageous comparison with provisions on corresponding subjects in Spain at the present time.* Public credit was re-established by the punctuality with which the government redeemed the debt contracted during the Portuguese war; and, notwithstanding the repeal of various arbitrary imposts, which enriched the exchequer under Henry the Fourth, such was the advance of the country under the wise economy of the present reign, that the revenue was augmented nearly sixfold between the years 1477 and 1482.[51]

[51] Pragmáticas del Reyno, fol. 64.—Ordenanças Reales, lib. 4, tit. 4, ley 22; lib. 5, tit. 8, ley 2; lib. 6, tit. 9, ley 49; lib. 6, tit. 10, ley 13.—Col. de Cédulas, tom. v. no. 182.—See also other wholesome

* [They may surely sustain an advantageous comparison with the provisions on the corresponding subjects *in the United States of America* at the present time.—M.]

Thus released from the heavy burdens imposed on it, the spring of enterprise recovered its former elasticity. The productive capital of the country was made to flow through the various channels of domestic industry. The hills and the valleys again rejoiced in the labor of the husbandman; and the cities were embellished with stately edifices, both public and private, which attracted the gaze and commendation of foreigners.[52] The writers of that day are unbounded in their plaudits of Isabella, to whom they principally ascribe this auspicious revolution in the condition of the country and its inhabitants,[53] which seems almost as magical as

laws for the encouragement of commerce and general security of property, as that respecting contracts (Ordenanças Reales, lib. 5, tit. 8, ley 5),—fraudulent tradesmen (lib. 5, tit. 8, ley 5),—purveyance (lib. 6, tit. 11, ley 2 et al.).—Recopilacion de las Leyes, lib. 5, tit. 20, 21, 22; lib. 6, tit, 18, ley 1.—Pulgar, Reyes Católicos, part. 2, cap. 99.—Zurita, Anales, tom. iv. fol. 312.—Mem. de la Acad. de Hist., tom. vi. Ilust. 11.—The revenue, it appears, in 1477, amounted to 27,415,228 maravedis; and in the year 1482, we find it increased to 150,695,288 maravedis. (Ibid., Ilust. 5.)—A survey of the kingdom was made between the years 1477 and 1479, for the purpose of ascertaining the value of the royal rents, which formed the basis of the economical regulations adopted by the cortes of Toledo. Although this survey was conducted on no uniform plan, yet, according to Señor Clemencin, it exhibits such a variety of important details respecting the resources and population of the country that it must materially contribute towards an exact history of this period. The compilation, which consists of twelve folio volumes in manuscript, is deposited in the archives of Simancas.

[52] One of the statutes passed at Toledo expressly provides for the erection of spacious and handsome edifices (*casas grandes y bien fechas*) for the transaction of municipal affairs, in all the principal towns and cities in the kingdom. Ordenanças Reales, lib. 7, tit. 1, ley 1.—See also L. Marineo, Cosas memorables, passim,—et al. auct.

[53] "Cosa fue por cierto maravillosa," exclaims Pulgar, in his Glosa on the Mingo Revulgo, "que lo que muchos hombres y grandes señores no se acordaron á hacer en muchos años, *sola una muger*, con su trabajo y gobernacion, lo hizo en poco tiempo." Copla 21.

one of those transformations in romance wrought by the hands of some benevolent fairy.[54]

VI. The pre-eminence of the royal authority. This, which, as we have seen, appears to have been the natural result of the policy of Ferdinand and Isabella, was derived quite as much from the influence of their private characters as from their public measures. Their acknowledged talents were supported by a dignified demeanor, which formed a striking contrast with the meanness in mind and manners that had distinguished their predecessor. They both exhibited a practical wisdom in their own personal relations, which always commands respect, and which, however it may have savored of worldly policy in Ferdinand, was, in his consort, founded on the purest and most exalted principle. Under such a sovereign, the court, which had been little better than a brothel under the preceding reign, became the nursery of virtue and generous ambition. Isabella watched assiduously over the nurture of the high-born damsels of her court, whom she received into the royal palace, causing them to be educated under her own eye, and endowing them with liberal portions on their marriage.[55] By these and similar acts of affectionate

[54] The beautiful lines of Virgil, so often misapplied,—

> "Jam redit et Virgo; redeunt Saturnia regna;
> Jam nova progenies," etc.—

seem to admit here of a pertinent application.

[55] Carro de las Doñas, apud Mem. de la Acad. de Hist., tom. vi. Ilust. 21.—As one example of the moral discipline introduced by Isabella in her court, we may cite the enactments against gaming, which had been carried to great excess under the preceding reigns. (See Ordenanças Reales, lib. 2, tit. 14, ley 31; lib. 8, tit. 10, ley 7.)

solicitude, she endeared herself to the higher classes of her subjects, while the patriotic tendency of her public conduct established her in the hearts of the people. She possessed, in combination with the feminine qualities which beget love, a masculine energy of character, which struck terror into the guilty. She enforced the execution of her own plans, oftentimes even at great personal hazard, with a resolution surpassing that of her husband. Both were singularly temperate, indeed frugal, in their dress, equipage, and general style of living; seeking to affect others less by external pomp than by the silent though more potent influence of personal qualities. On all such occasions as demanded it, however, they displayed a princely magnificence, which dazzled the multitude, and is blazoned with great solemnity in the garrulous chronicles of the day.[56]

The tendencies of the present administration were undoubtedly to strengthen the power of the crown. This was the point to which most of the feudal governments of Europe at this epoch were tending. But Isabella was far from being actuated by the selfish aim or unscrupulous policy of many contemporary princes, who, like Louis the Eleventh, sought to govern by the arts of dissimulation, and to establish their own authority by fomenting the division of their powerful vassals.

L. Marineo, according to whom "hell is full of gamblers," highly commends the sovereigns for their efforts to discountenance this vice. Cosas memorables, fol. 165.

[56] See, for example, the splendid ceremony of Prince John's baptism, to which the gossiping Curate of Los Palacios devotes the 32d and 33d chapters of his History.

On the contrary, she endeavored to bind together the disjointed fragments of the state, to assign to each of its great divisions its constitutional limits, and, by depressing the aristocracy to its proper level and elevating the commons, to consolidate the whole under the lawful supremacy of the crown. At least, such was the tendency of her administration up to the present period of our history. These laudable objects were gradually achieved, without fraud or violence, by a course of measures equally laudable; and the various orders of the monarchy, brought into harmonious action with each other, were enabled to turn the forces which had before been wasted in civil conflict to the glorious career of discovery and conquest which it was destined to run during the remainder of the century.

The sixth volume of the Memoirs of the Royal Spanish Academy of History, published in 1821, is devoted altogether to the reign of Isabella. It is distributed into Illustrations, as they are termed, of the various branches of the administrative policy of the queen, of her personal character, and of the condition of science under her government. These essays exhibit much curious research, being derived from unquestionable contemporary documents, printed and manuscript, and from the public archives. They are compiled with much discernment, and, as they throw light on some of the most recondite transactions of this reign, are of inestimable service to the historian. The author of the volume is the late lamented secretary of the Academy, Don Diego Clemencin; one of the few who survived the wreck of scholarship in Spain, and who, with the erudition which has frequently distinguished his countrymen, combined the liberal and enlarged opinions which would do honor to any country.

THE MEN OF THE HOLY OFFICE

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CHAPTER VII

ESTABLISHMENT OF THE MODERN INQUISITION

Origin of the Ancient Inquisition—Retrospective View of the Jews in Spain—Their Wealth and Civilization—Bigotry of the Age—Its Influence on Isabella—Her Confessor, Torquemada—Bull authorizing the Inquisition—Tribunal at Seville—Forms of Trial—Torture—Autos da Fe—Number of Convictions—Perfidious Policy of Rome

IT is painful, after having dwelt so long on the important benefits resulting to Castile from the comprehensive policy of Isabella, to be compelled to turn to the darker side of the picture, and to exhibit her as accommodating herself to the illiberal spirit of the age in which she lived, so far as to sanction one of the grossest abuses that ever disgraced humanity. The present chapter will be devoted to the establishment and early progress of the Modern Inquisition; an institution which has probably contributed more than any other cause to depress the lofty character of the ancient Spaniard, and which has thrown the gloom of fanaticism over those lovely regions which seem to be the natural abode of festivity and pleasure.

In the present liberal state of knowledge, we look with disgust at the pretensions of any human being, however exalted, to invade the sacred rights of conscience, inalienably possessed by every man. We feel that the spiritual concerns of an

individual may be safely left to himself, as most interested in them, except so far as they can be affected by argument or friendly monition; that the idea of compelling belief in particular doctrines is a solecism, as absurd as wicked; and, so far from condemning to the stake, or the gibbet, men who pertinaciously adhere to their conscientious opinions in contempt of personal interests and in the face of danger, we should rather feel disposed to imitate the spirit of antiquity in raising altars and statues to their memory, as having displayed the highest efforts of human virtue. But, although these truths are now so obvious as rather to deserve the name of truisms, the world has been slow, very slow, in arriving at them, after many centuries of unspeakable oppression and misery.

Acts of intolerance are to be discerned from the earliest period in which Christianity became the established religion of the Roman empire. But they do not seem to have flowed from any systematized plan of persecution, until the papal authority had swollen to a considerable height. The popes, who claimed the spiritual allegiance of all Christendom, regarded heresy as treason against themselves, and, as such, deserving all the penalties which sovereigns have uniformly visited on this, in their eyes, unpardonable offence. The crusades which, in the early part of the thirteenth century, swept so fiercely over the southern provinces of France, exterminating their inhabitants, and blasting the fair buds of civilization which had put forth after the long feudal winter, opened the way to the Inquisition; and it was on the ruins of

this once happy land that were first erected the bloody altars of that tribunal.[1]

After various modifications, the province of detecting and punishing heresy was exclusively committed to the hands of the Dominican friars; and in 1233, in the reign of St. Louis, and under the pontificate of Gregory the Ninth, a code for the regulation of their proceedings was finally digested. The tribunal, after having been successively adopted in Italy and Germany, was introduced into Aragon,* where, in 1242, additional

[1] Mosheim, Ecclesiastical History, translated by Maclaine (Charlestown, 1810), cent. 13, P. 2, chap. 5.—Sismondi, Histoire des Français (Paris, 1821), tom. vi. chap. 24–28; tom. vii. chap. 2, 3. —Idem, De la Littérature du Midi de l'Europe (Paris, 1813), tom. i. chap. 6.—In the former of these works M. Sismondi has described the physical ravages of the crusades in southern France, with the same spirit and eloquence with which he has exhibited their desolating moral influence in the latter. Some Catholic writers would fain excuse St. Dominic from the imputation of having founded the Inquisition. It is true he died some years before the perfect organization of that tribunal; but, as he established the principles on which, and the monkish militia by whom, it was administered, it is doing him no injustice to regard him as its real author.—The Sicilian Paramo, indeed, in his heavy quarto (De Origine et Progressu Officii Sanctæ Inquisitionis, Matriti, 1598), traces it up to a much more remote antiquity, which, to a Protestant ear at least, savors not a little of blasphemy. According to him, God was the first inquisitor, and his condemnation of Adam and Eve furnished the model of the judicial forms observed in the trials of the Holy Office. The sentence of Adam was the type of the inquisitorial *reconciliation;* his subsequent raiment of the skins of animals was the model of the *sanbenito,* and his expulsion from Paradise the precedent for the confiscation of the goods of heretics. This learned personage deduces a succession of inquisitors through the patriarchs, Moses, Nebuchadnezzar, and King David, down to John the Baptist, and even our Saviour, in whose precepts and conduct he finds abundant authority for the tribunal! Paramo, De Origine Inquisitionis, lib. 1, tit. 1, 2, 3.

* [" In 1238 the Inquisition of Aragon may be said to be founded." Lea, Hist. of the Inquisition, ii. p. 166.—M.]

provisions were framed by the council of Tarragona, on the basis of those of 1233, which may properly be considered as the primitive instructions of the Holy Office in Spain.[2]

This Ancient Inquisition, as it is termed, bore the same odious peculiarities in its leading features as the Modern; the same impenetrable secrecy in its proceedings, the same insidious modes of accusation, a similar use of torture, and similar penalties for the offender. A sort of manual, drawn up by Eymerich, an Aragonese inquisitor of the fourteenth century, for the instruction of the judges of the Holy Office, prescribes all those ambiguous forms of interrogation by which the unwary and perhaps innocent victim might be circumvented.[3]

[2] Sismondi, Hist. des Français, tom. vii. chap. 3.—Limborch, History of the Inquisition, translated by Chandler (London, 1731), book 1, chap. 24—Llorente, Histoire critique de l'Inquisition d'Espagne (Paris, 1818), tom. i. p. 110.—Before this time we find a constitution of Peter I. of Aragon against heretics, prescribing in certain cases the burning of heretics and the confiscation of their estates, in 1197. Marca Hispanica, sive Limes Hispanicus (Parisiis, 1688), p. 1384.

[3] Nic. Antonio, Bibliotheca Vetus, tom. ii. p. 186.—Llorente, Hist. de l'Inquisition, tom. i. pp. 110–124.—Puigblanch cites some of the instructions from Eymerich's work, whose authority in the courts of the Inquisition he compares to that of Gratian's Decretals in other ecclesiastical judicatures. One of these may suffice to show the spirit of the whole. "When the inquisitor has an opportunity, he shall manage so as to introduce to the conversation of the prisoner some one of his accomplices, or any other converted heretic, who shall feign that he still persists in his heresy, telling him that he had abjured for the sole purpose of escaping punishment, by deceiving the inquisitors. Having thus gained his confidence, he shall go into his cell some day after dinner, and, keeping up the conversation till night, shall remain with him under pretext of its being too late for him to return home. He shall then urge the prisoner to tell him all the particulars of his past life, having first told him the whole of his own; and in the mean time spies shall be kept in hearing at the door, as well as a notary, in order to certify what

The principles on which the ancient Inquisition was established are no less repugnant to justice than those which regulated the modern; although the former, it is true, was much less extensive in its operation. The arm of persecution, however, fell with sufficient heaviness, especially during the thirteenth and fourteenth centuries, on the unfortunate Albigenses, who, from the proximity and political relations of Aragon and Provence, had become numerous in the former kingdom. The persecution appears, however, to have been chiefly confined to this unfortunate sect, and there is no evidence that the Holy Office, notwithstanding papal briefs to that effect, was fully organized in Castile before the reign of Isabella. This is perhaps imputable to the paucity of heretics in that kingdom. It cannot, at any rate, be charged to any lukewarmness in its sovereigns; since they, from the time of St. Ferdinand, who heaped the fagots on the blazing pile with his own hands, down to that of John the Second, Isabella's father, who hunted the unhappy heretics of Biscay like so many wild beasts among the mountains, had ever evinced a lively zeal for the orthodox faith.[4]

may be said within." Puigblanch, Inquisition Unmasked, translated by Walton (London, 1816), vol. i. pp. 238, 239.

[4] Mariana, Hist. de España, lib. 12, cap. 11; lib. 21, cap. 17.—Llorente, Hist. de l'Inquisition, tom. i. chap. 3.—The nature of the penance imposed on reconciled heretics by the ancient Inquisition was much more severe than that of later times. Llorente cites an act of St. Dominic respecting a person of this description, named Ponce Roger. The penitent was commanded to be *"stripped of his clothes and beaten with rods by a priest, three Sundays in succession, from the gate of the city to the door of the church;* not to eat any kind of animal food during his whole life; to keep three Lents a year, without even eating fish; to abstain from fish, oil,

By the middle of the fifteenth century, the Albigensian heresy had been nearly extirpated by the Inquisition of Aragon; so that this infernal engine might have been suffered to sleep undisturbed from want of sufficient fuel to keep it in motion, when new and ample materials were discovered in the unfortunate race of Israel, on whom the sins of their fathers have been so unsparingly visited by every nation in Christendom, among whom they have sojourned, almost to the present century. As this remarkable people, who seem to have preserved their unity of character unbroken amid the thousand fragments into which they have been scattered, attained perhaps to greater consideration in Spain than in any other part of Europe, and as the efforts of the Inquisition were directed principally against them during the present reign, it may be well to take a brief review of their preceding history in the Peninsula.

Under the Visigothic empire the Jews multiplied exceedingly in the country, and were permitted to acquire considerable power and wealth. But no sooner had their Arian masters embraced the orthodox faith than they began to testify their

and wine three days in the week during life, except in case of sickness or excessive labor; to wear a religious dress with a small cross embroidered on each side of the breast; to attend mass every day, if he had the means of doing so, and vespers on Sundays and festivals; to recite the service for the day and the night, and to repeat the *pater noster* seven times in the day, ten times in the evening, and *twenty times at midnight.*" (Ibid., chap. 4.) If the said Roger failed in any of the above requisitions, he was to be burnt as a relapsed heretic! This was the encouragement held out by St. Dominic to penitence.

zeal by pouring on the Jews the most pitiless storm of persecution. One of their laws alone condemned the whole race to slavery; and Montesquieu remarks, without much exaggeration, that to the Gothic code may be traced all the maxims of the modern Inquisition, the monks of the fifteenth century only copying, in reference to the Israelites, the bishops of the seventh.[5]

After the Saracenic invasion, which the Jews, perhaps with reason, are accused of having facilitated, they resided in the conquered cities, and were permitted to mingle with the Arabs on nearly equal terms. Their common Oriental origin produced a similarity of tastes, to a certain extent, not unfavorable to such a coalition. At any rate, the early Spanish Arabs were characterized by a spirit of toleration towards both Jews and Christians, "the people of the book," as they were called, which had scarcely been found among later Moslems.[6] The Jews accordingly, under these favorable auspices, not only accumulated wealth with

[5] Montesquieu, Esprit des Lois, liv. 18, chap. 1.—See the canon of the 17th council of Toledo, condemning the Israelitish race to bondage, in Florez, España sagrada (Madrid, 1747–75), tom. vi. p. 229.—The Fuero Juzgo (ed. de la Acad. (Madrid, 1815), lib. 12, tit. 2 and 3) is composed of the most inhuman ordinances against this unfortunate people.

[6] The Koran grants protection to the Jews on payment of tribute. See the Koran, translated by Sale (London, 1825), chap. 9. Still, there is ground enough (though less among the Spanish Arabs than the other Moslems) for the following caustic remark of the author above quoted: "La religion juive est un vieux tronc qui a produit deux branches qui ont couvert toute la terre; je veux dire, le Mahométisme et le Christianisme: ou plutôt c'est une mère qui a engendré deux filles, qui l'ont accablée de mille plaies; car, en fait de religion, les plus proches sont les plus grands des ennemis." Montesquieu, Lettres Persanes, let. 60.

their usual diligence, but gradually rose to the highest civil dignities, and made great advances in various departments of letters. The schools of Cordova, Toledo, Barcelona, and Granada were crowded with numerous disciples, who emulated the Arabians in keeping alive the flame of learning during the deep darkness of the Middle Ages.[7] Whatever may be thought of their success in speculative philosophy,[8] they cannot reasonably be denied to have contributed largely to practical and experimental science. They were diligent travellers in all parts of the known world, compiling itineraries which have proved of extensive use in later times, and bringing home hoards of foreign specimens and Oriental drugs, that furnished important contributions to the domestic

[7] The first academy founded by the learned Jews in Spain was that of Cordova, A.D. 948. Castro, Biblioteca Española, tom. i. p. 2. —Basnage, History of the Jews, translated by Taylor (London, 1708), book 7, chap. 5.

[8] In addition to their Talmudic lore and Cabalistic mysteries, the Spanish Jews were well read in the philosophy of Aristotle. They pretended that the Stagirite was a convert to Judaism and had borrowed his science from the writings of Solomon. (Brucker, Historia critica Philosophiæ (Lipsiæ, 1766), tom. ii. p. 853.) M. Degerando, adopting similar conclusions with Brucker, in regard to the value of the philosophical speculations of the Jews, passes the following severe sentence upon the intellectual, and indeed moral, character of the nation: "Ce peuple, par son caractère, ses mœurs, ses institutions, semblait être destiné à rester stationnaire. Un attachement excessif à leurs propres traditions dominait chez les Juifs tous les penchans de l'esprit: ils restaient presque étrangers aux progrès de la civilisation, au mouvement général de la société; ils étaient en quelque sorte moralement isolés, alors même qu'ils communiquaient avec tous les peuples, et parcouraient toutes les contrées. Aussi nous cherchons en vain, dans ceux de leurs écrits qui nous sont connus, non-seulement de vraies découvertes, mais même des idées réellement originales." Histoire comparée des Systèmes de Philosophie (Paris, 1822), tom. iv. p. 299.

pharmacopœias.[9] In the practice of medicine, indeed, they became so expert as in a manner to monopolize that profession. They made great proficiency in mathematics, and particularly in astronomy; while in the cultivation of elegant letters they revived the ancient glories of the Hebrew muse.[10] This was indeed the golden age of modern Jewish literature, which, under the Spanish caliphs, experienced a protection so benign, although occasionally checkered by the caprices of despotism, that it was enabled to attain higher beauty and a more perfect development in the tenth, eleventh, twelfth, and thirteenth centuries, than it has reached in any other part of Christendom.[11]

The ancient Castilians of the same period, very different from their Gothic ancestors, seem to have

[9] Castro, Biblioteca Española, tom. i. pp. 21, 33, et alibi.—Benjamin of Tudela's celebrated Itinerary, having been translated into the various languages of Europe, passed into sixteen editions before the middle of the last century. Ibid., tom. i. pp. 79, 80.

[10] The beautiful lament which the royal psalmist has put into the mouths of his countrymen, when commanded to sing the songs of Sion in a strange land, cannot be applied to the Spanish Jews, who, far from hanging their harps upon the willows, poured forth their lays with a freedom and vivacity which may be thought to savor more of the modern troubadour than of the ancient Hebrew minstrel. Castro has collected, under Siglo XV., a few gleanings of such as, by their incorporation into a Christian Cancionero, escaped the fury of the Inquisition. Biblioteca Española, tom. i. pp. 265–364.

[11] Castro has done for the Hebrew what Casiri a few years before did for the Arabic literature of Spain, by giving notices of such works as have survived the ravages of time and superstition. The first volume of his Biblioteca Española contains an analysis accompanied with extracts from more than seven hundred different works, with biographical sketches of their authors; the whole bearing most honorable testimony to the talent and various erudition of the Spanish Jews.

conceded to the Israelites somewhat of the feelings of respect which were extorted from them by the superior civilization of the Spanish Arabs. We find eminent Jews residing in the courts of the Christian princes, directing their studies, attending them as physicians, or more frequently administering their finances. For this last vocation they seem to have had a natural aptitude; and, indeed, the correspondence which they maintained with the different countries of Europe by means of their own countrymen, who acted as the brokers of almost every people among whom they were scattered during the Middle Ages, afforded them peculiar facilities both in politics and commerce. We meet with Jewish scholars and statesmen attached to the courts of Alfonso the Tenth, Alfonso the Eleventh, Peter the Cruel, Henry the Second, and other princes. Their astronomical science recommended them in a special manner to Alfonso the Wise, who employed them in the construction of his celebrated Tables. James the First of Aragon condescended to receive instruction from them in ethics; and, in the fifteenth century, we notice John the Second of Castile employing a Jewish secretary in the compilation of a national Cancionero.[12]

But all this royal patronage proved incompetent

[12] Basnage, History of the Jews, book 7, chap. 5, 15, 16.—Castro, Biblioteca Española, tom. i. pp. 116, 265, 267.—Mariana, Hist. de España, tom. i. p. 906;—tom. ii. pp. 63, 147, 459.—Samuel Levi, treasurer of Peter the Cruel, who was sacrificed to the cupidity of his master, is reported by Mariana to have left behind him the incredible sum of 400,000 ducats to swell the royal coffers. See tom. ii. p. 82.

to protect the Jews when their flourishing fortunes had risen to a sufficient height to excite popular envy, augmented as it was by that profuse ostentation of equipage and apparel for which this singular people, notwithstanding their avarice, have usually shown a predilection.[13] Stories were circulated of their contempt for the Catholic worship, their desecration of its most holy symbols, and of their crucifixion, or other sacrifice, of Christian children at the celebration of their own passover.[14] With these foolish calumnies, the more probable charge of usury and extortion was industriously prefered against them; till at length, towards the close of the fourteenth century, the fanatical populace, stimulated in many instances by the no less fanatical clergy, and perhaps encouraged by the numerous class of debtors to the Jews, who found this a convenient mode of settling their accounts, made a fierce assault on this

[13] Sir Walter Scott, with his usual discernment, has availed himself of these opposite traits in his portraits of Rebecca and Isaac in Ivanhoe, in which he seems to have contrasted the lights and shadows of the Jewish character. The humiliating state of the Jews, however, exhibited in this romance, affords no analogy to their social condition in Spain; as is evinced not merely by their wealth, which was also conspicuous in the English Jews, but by the high degree of civilization, and even political consequence, which, notwithstanding the occasional ebullitions of popular prejudice, they were permitted to reach there.

[14] Calumnies of this kind were current all over Europe. The English reader will call to mind the monkish fiction of the little Christian,

"Slain with cursed Jewes, as it is notable,"

singing most devoutly after his throat was cut from ear to ear, in Chaucer's Prioresse's Tale. See another instance in the old Scottish ballad of "The Jew's Daughter" in Percy's "Reliques of Ancient Poetry."

unfortunate people in Castile and Aragon, breaking into their houses, violating their most private sanctuaries, scattering their costly collections and furniture, and consigning the wretched proprietors to indiscriminate massacre, without regard to sex or age.[15]

In this crisis, the only remedy left to the Jews was a real or feigned conversion to Christianity. St. Vincent Ferrier, a Dominican of Valencia, performed such a quantity of miracles, in furtherance of this purpose, as might have excited the envy of any saint in the Calendar; and these, aided by his eloquence, are said to have changed the hearts of no less than thirty-five thousand of the race of Israel, which doubtless must be reckoned the greatest miracle of all.[16]

The legislative enactments of this period, and still more under John the Second, during the first

[15] Bernaldez, Reyes Católicos, MS., cap. 43.—Mariana, Hist. de España, tom. ii. pp. 186, 187.—In 1391, 5000 Jews were sacrificed to the popular fury, and, according to Mariana, no less than 10,000 had perished from the same cause in Navarre about sixty years before. See tom. i. p. 912.

[16] According to Mariana, the restoration of sight to the blind, feet to the lame, even life to the dead, were miracles of ordinary occurrence with St. Vincent. (Hist. de España, tom. ii. pp. 229, 230.) The age of miracles had probably ceased by Isabella's time, or the Inquisition might have been spared. Nic. Antonio, in his notice of the life and labors of this Dominican (Bibliotheca Vetus, tom. ii. pp. 205, 207), states that he preached his inspired sermons in his vernacular Valencian dialect to audiences of French, English, and Italians indiscriminately, who all understood him perfectly well; "a circumstance," says Dr. McCrie, in his valuable "History of the Progress and Suppression of the Reformation in Spain" (Edinburgh, 1829), "which, if it prove anything, proves that the hearers of St. Vincent possessed more miraculous powers than himself, and that they should have been canonized, rather than the preacher." p. 87, note.

half of the fifteenth century, were uncommonly severe upon the Jews. While they were prohibited from mingling freely with the Christians, and from exercising the professions for which they were best qualified,[17] their residence was restricted within certain prescribed limits of the cities which they inhabited; and they were not only debarred from their usual luxury of ornament in dress, but were held up to public scorn, as it were, by some peculiar badge or emblem embroidered on their garments.[18]

Such was the condition of the Spanish Jews at the accession of Ferdinand and Isabella. The *new Christians,* or *converts,* as those who had renounced the faith of their fathers were denominated, were occasionally preferred to high ecclesiastical dignities, which they illustrated by their integrity and learning. They were intrusted with municipal offices in the various cities of Castile; and, as their wealth furnished an obvious resource for repairing, by way of marriage, the decayed fortunes of the nobility, there was scarcely a family of rank in the land whose blood had not been contaminated,

[17] They were interdicted from the callings of vintners, grocers, taverners, especially of apothecaries, and of physicians and nurses. Ordenanças Reales, lib. 8, tit. 3, leyes 11, 15, 18.

[18] No law was more frequently reiterated than that prohibiting the Jews from acting as stewards of the nobility, or farmers and collectors of the public rents. The repetition of the law shows to what extent this people had engrossed what little was known of financial science in that day. For the multiplied enactments in Castile against them, see Ordenanças Reales (lib. 8, tit. 3). For the regulations respecting the Jews in Aragon, many of them oppressive, particularly at the commencement of the fifteenth century, see Fueros y Observancias del Reyno de Aragon (Zaragoza, 1667), tom. i. fol. 6.—Marca Hispanica, pp. 1416, 1433.—Zurita, Anales, tom. iii. lib. 12, cap. 45.

at some period or other, by mixture with the *mala sangre,* as it came afterwards to be termed, of the house of Judah; an ignominious stain, which no time has been deemed sufficient wholly to purge away.[19]

Notwithstanding the show of prosperity enjoyed by the converted Jews, their situation was far from secure. Their proselytism had been too sudden to be generally sincere; and, as the task of dissimulation was too irksome to be permanently endured, they gradualy became less circumspect, and exhibited the scandalous spectacle of apostates returning to wallow in the ancient mire of Judaism. The clergy, especially the Dominicans, who seem to have inherited the quick scent for heresy which distinguished their frantic founder, were not slow in sounding the alarm; and the superstitious populace, easily roused to acts of violence in the name of religion, began to exhibit the most tumultuous movements, and actually massacred the constable of Castile in an attempt to suppress them at Jaen, the year preceding the accession of Isabella. After this period, the complaints against the Jewish heresy became still more clamorous, and the throne was repeatedly beset with petitions to

[19] Bernaldez, Reyes Católicos, MS., cap. 43.—Llorente, Hist. de l'Inquisition, préf. p. 26.—A manuscript entitled *Tizon de España* (Brand of Spain), tracing up many a noble pedigree to a Jewish or Mahometan root, obtained a circulation, to the great scandal of the country, which the efforts of the government, combined with those of the Inquisition, have not been wholly able to suppress. Copies of it, however, are now rarely to be met with. (Doblado, Letters from Spain (London, 1822), let. 2.) Clemencin notices two works with this title, one as ancient as Ferdinand and Isabella's time, and both written by bishops. Mem. de la Acad. de Hist., tom. vi. p. 125.

devise some effectual means for its extirpation.[20] (1478.)

A chapter of the Chronicle of the Curate of Los Palacios, who lived at this time in Andalusia, where the Jews seem to have most abounded, throws considerable light on the real as well as pretended motives of the subsequent persecution. "This accursed race," he says, speaking of the Israelites, "were either unwilling to bring their children to be baptized, or, if they did, they washed away the stain on returning home. They dressed their stews and other dishes with oil, instead of lard; abstained from pork; kept the passover; ate meat in Lent; and sent oil to replenish the lamps of their synagogues; with many other abominable ceremonies of their religion. They entertained no respect for monastic life, and frequently profaned the sanctity of religious houses by the violation or seduction of their inmates. They were an exceedingly politic and ambitious people, engrossing the most lucrative municipal offices, and preferred to gain their livelihood by traffic, in which they made exorbitant gains, rather than by manual labor or mechanical arts. They considered themselves in the hands of the Egyptians, whom it was a merit to deceive and plunder. By their wicked contrivances they amassed great wealth, and thus were often able to ally themselves by marriage with noble Christian families." [21]

It is easy to discern, in this medley of credulity

[20] Mariana, Hist. de España, tom. ii. p. 479.—Pulgar, Reyes Católicos, part. ii. cap. 77.

[21] Reyes Católicos, MS., cap. 43.

and superstition, the secret envy entertained by the Castilians of the superior skill and industry of their Hebrew brethren, and of the superior riches which these qualities secured to them; and it is impossible not to suspect that the zeal of the most orthodox was considerably sharpened by worldly motives.

Be that as it may, the cry against the Jewish abominations now became general. Among those most active in raising it were Alfonso de Ojeda, a Dominican, prior of the monastery of St. Paul in Seville, and Diego de Merlo, assistant of that city, who should not be defrauded of the meed of glory to which they are justly entitled by their exertions for the establishment of the modern Inquisition. These persons, after urging on the sovereigns the alarming extent to which the Jewish leprosy prevailed in Andalusia, loudly called for the introduction of the Holy Office, as the only effectual means of healing it. In this they were vigorously supported by Niccolò Franco, the papal nuncio then residing at the court of Castile. Ferdinand listened with complacency to a scheme which promised an ample source of revenue in the confiscations it involved. But it was not so easy to vanquish Isabella's aversion to measures so repugnant to the natural benevolence and magnanimity of her character. Her scruples, indeed, were founded rather on sentiment than reason, the exercise of which was little countenanced in matters of faith in that day, when the dangerous maxim, that the end justifies the means, was universally received, and learned theologians seriously dis-

puted whether it were permitted to make peace with the infidel, and even whether promises made to them were obligatory on Christians.[22]

The policy of the Roman church, at that time, was not only shown in its perversion of some of the most obvious principles of morality, but in the discouragement of all free inquiry in its disciples, whom it instructed to rely implicitly in matters of conscience on their spiritual advisers. The artful institution of the tribunal of confession, established with this view, brought, as it were, the whole Christian world at the feet of the clergy, who, far from being always animated by the meek spirit of the gospel, almost justified the reproach of Voltaire, that confessors have been the source of most of the violent measures pursued by princes of the Catholic faith.[23]

Isabella's serious temper, as well as early education, naturally disposed her to religious influences. Notwithstanding the independence exhibited by her in all secular affairs, in her own spiritual con-

[22] Bernaldez, Reyes Católicos, ubi supra.—Pulgar, Reyes Católicos, part. 2, cap. 77.—Zuñiga, Annales de Sevilla, p. 386.—Mem. de la Acad. de Hist., tom. vi. p. 44.—Llorente, tom. i. pp. 143, 145.—Some writers are inclined to view the Spanish Inquisition, in its origin, as little else than a political engine. Guizot remarks of the tribunal, in one of his lectures, "Elle contenait en germe ce qu'elle est devenue; mais elle ne l'était pas en commençant: elle fut d'abord plus politique que religieuse, et destinée à maintenir l'ordre plutôt qu'à defendre la foi." (Cours d'Histoire moderne (Paris, 1828–30), tom. v. lec. 11.) This statement is inaccurate in reference to Castile, where the facts do not warrant us in imputing any other motive for its adoption than religious zeal. The general character of Ferdinand, as well as the circumstances under which it was introduced into Aragon, may justify the inference of a more worldly policy in its establishment there.

[23] Essai sur les Mœurs et l'Esprit des Nations, chap. 176.

cerns she uniformly testified the deepest humility, and deferred too implicitly to what she deemed the superior sagacity, or sanctity, of her ghostly counsellors. An instance of this humility may be worth recording. When Fray Fernando de Talavera, afterwards archbishop of Granada, who had been appointed confessor to the queen, attended her for the first time in that capacity, he continued seated, after she had knelt down to make her confession, which drew from her the remark, "that it was usual for both parties to kneel." "No," replied the priest, "this is God's tribunal; I act here as his minister, and it is fitting that I should keep my seat, while your Highness kneels before me." Isabella, far from taking umbrage at the ecclesiastic's arrogant demeanor, complied with all humility, and was afterwards heard to say, "This is the confessor that I wanted." [24]

Well had it been for the land, if the queen's conscience had always been intrusted to the keeping of persons of such exemplary piety as Talavera. Unfortunately, in her early days, during the lifetime of her brother Henry, that charge was committed to a Dominican monk, Thomas de Torquemada, a native of Old Castile, subsequently raised to the rank of prior of Santa Cruz in Segovia, and condemned to infamous immortality by the signal

[24] Siguença, Historia de la Orden de San Gerónimo, apud Mem. de la Acad. de Hist., tom. vi. Ilust. 13.—This anecdote is more characteristic of the order than the individual. Oviedo has given a brief notice of this prelate, whose virtues raised him from the humblest condition to the highest posts in the church, and gained him, to quote that writer's words, the appellation of "el sancto, ó el buen arzobispo en toda España." Quincuagenas, MS., dial. de Talavera.

part which he performed in the tragedy of the Inquisition. This man, who concealed more pride under his monastic weeds than might have furnished forth a convent of his order, was one of that class with whom zeal passes for religion, and who testify their zeal by a fiery persecution of those whose creed differs from their own; who compensate for their abstinence from sensual indulgence by giving scope to those deadlier vices of the heart, pride, bigotry, and intolerance, which are no less opposed to virtue, and are far more extensively mischievous to society. This personage had earnestly labored to infuse into Isabella's young mind, to which his situation as her confessor gave him such ready access, the same spirit of fanaticism that glowed in his own. Fortunately this was greatly counteracted by her sound understanding and natural kindness of heart. Torquemada urged her, or indeed, as is stated by some, extorted a promise, that, "should she ever come to the throne, she would devote herself to the extirpation of heresy, for the glory of God, and the exaltation of the Catholic faith." [25] The time was now arrived when this fatal promise was to be discharged.

It is due to Isabella's fame to state thus much in palliation of the unfortunate error into which she was led by her misguided zeal; an error so grave, that, like a vein in some noble piece of statuary, it gives a sinister expression to her otherwise unblemished character.[26] It was not until the

[25] Zurita, Anales, tom. iv. fol. 323.

[26] The uniform tenderness with which the most liberal Spanish writers of the present comparatively enlightened age, as Marina,

queen had endured the repeated importunities of the clergy, particularly of those reverend persons in whom she most confided, seconded by the arguments of Ferdinand, that she consented to solicit from the pope a bull for the introduction of the Holy Office into Castile. Sixtus the Fourth, who at that time filled the pontifical chair, easily discerning the sources of wealth and influence which this measure opened to the court of Rome, readily complied with the petition of the sovereigns, and expedited a bull bearing date November 1st, 1478, authorizing them to appoint two or three ecclesiastics, inquisitors for the detection and suppression of heresy throughout their dominions.[27]

The queen, however, still averse to violent measures, suspended the operation of the ordinance until a more lenient policy had been first tried. By her command, accordingly, the archbishop of Seville, Cardinal Mendoza, drew up a catechism exhibiting the different points of the Catholic faith, and instructed the clergy throughout his diocese to spare no pains in illuminating the benighted Israelites, by means of friendly exhortation and a candid exposition of the true principles

Llorente, Clemencin, etc., regard the memory of Isabella, affords an honorable testimony to the unsuspected integrity of her motives. Even in relation to the Inquisition, her countrymen would seem willing to draw a veil over her errors, or to excuse her by charging them on the age in which she lived.

[27] Pulgar, Reyes Católicos, part. 2, cap. 77.—Bernaldez, Reyes Católicos, MS., cap. 43.—Llorente, Hist. de l'Inquisition, tom. i. pp. 143–145.—Much discrepancy exists in the narratives of Pulgar, Bernaldez, and other contemporary writers, in reference to the era of the establishment of the modern Inquisition. I have followed Llorente, whose chronological accuracy, here and elsewhere, rests on the most authentic documents.

of Christianity.[28] How far the spirit of these injunctions was complied with, amid the excitement then prevailing, may be reasonably doubted. There could be little doubt, however, that a report, made two years later, by a commission of ecclesiastics with Alfonso de Ojeda at its head, respecting the progress of the reformation, would be necessarily unfavorable to the Jews.[29] In consequence of this report the papal provisions were enforced by the nomination, on the 17th of September, 1480, of two Dominican monks as inquisitors, with two other ecclesiastics, the one as assessor, and the other as procurator fiscal, with instructions to proceed at once to Seville and enter on the duties of their office. Orders were also issued to the authorities of the city to support the inquisitors by all the aid in their power. But the new institution, which has since become the miserable boast of the Castilians, proved so distasteful to them in its origin that they refused any cooperation with its ministers, and indeed opposed

[28] Bernaldez, Reyes Católicos, MS., ubi supra.—Pulgar, Reyes Católicos, part. 2, cap. 77.—I find no contemporary authority for imputing to Cardinal Mendoza an active agency in the establishment of the Inquisition, as is claimed for him by later writers, and especially his kinsman and biographer, the canon Salazar de Mendoza. (Crón. del Gran Cardenal, lib. 1, cap. 49.—Monarquía, tom. i. p. 336.) The conduct of this eminent minister in this affair seems, on the contrary, to have been equally politic and humane. The imputation of bigotry was not cast upon it until the age when bigotry was esteemed a virtue.

[29] In the interim, a caustic publication by a Jew appeared, containing strictures on the conduct of the administration, and even on the Christian religion, which was controverted at length by Talavera, afterwards archbishop of Granada. The scandal occasioned by this ill-timed production undoubtedly contributed to exacerbate the popular odium against the Israelites.

such delays and embarrassments that, during the first years, it can scarcely be said to have obtained a footing in any other places in Andalusia than those belonging to the crown.[30]

On the 2d of January, 1481, the court commenced operations by the publication of an edict, followed by several others, requiring all persons to aid in apprehending and accusing all such as they might know or suspect to be guilty of heresy,[31] and holding out the illusory promise of absolution to such as should confess their errors within a limited period. As every mode of accusation, even anonymous, was invited, the number of victims multiplied so fast that the tribunal found it convenient to remove its sittings from the convent of St. Paul, within the city, to the spacious fortress of Triana, in the suburbs.[32]

The presumptive proofs by which the charge of

[30] It is worthy of remark that the famous cortes of Toledo, assembled but a short time previous to the above-mentioned ordinances, and which enacted several oppressive laws in relation to the Jews, made no allusion whatever to the proposed establishment of a tribunal which was to be armed with such terrific powers.

[31] This ordinance, in which Llorente discerns the first regular encroachment of the new tribunal on the civil jurisdiction, was aimed partly at the Andalusian nobility, who afforded a shelter to the Jewish fugitives. Llorente has fallen into the error, more than once, of speaking of the count of Arcos, and marquis of Cadiz, as separate persons. The possessor of both titles was Rodrigo Ponce de Leon, who inherited the former of them from his father. The latter (which he afterwards made so illustrious in the Moorish wars) was conferred on him by Henry IV., being derived from the city of that name, which had been usurped from the crown.

[32] The historian of Seville quotes the Latin inscription on the portal of the edifice in which the sittings of the dread tribunal were held. Its concluding apostrophe to the Deity is one that the persecuted might join in, as heartily as their oppressors: "Exurge, Domine; judica causam tuam; capite nobis vulpes." Zuñiga, Annales de Sevilla, p. 389.

Judaism was established against the accused are so curious that a few of them may deserve notice. It was considered good evidence of the fact, if the prisoner wore better clothes or cleaner linen on the Jewish sabbath than on other days of the week; if he had no fire in his house the preceding evening; if he sat at table with Jews, or ate the meat of animals slaughtered by their hands, or drank a certain beverage held in much estimation by them; if he washed a corpse in warm water, or when dying turned his face to the wall; or, finally, if he gave Hebrew names to his children,—a provision most whimsically cruel, since by a law of Henry the Second, he was prohibited under severe penalties from giving them Christian names. He must have found it difficult to extricate himself from the horns of this dilemma.[33] Such are a few of the circumstances, some of them purely accidental in their nature, others the result of early habit, which might well have continued after a sincere conversion to Christianity, and all of them trivial, on which capital accusations were to be alleged, and even satisfactorily established.[34]

The inquisitors, adopting the wily and tortuous policy of the ancient tribunal, proceeded with a despatch which shows that they could have paid little deference even to this affectation of legal form. On the sixth day of January six convicts suffered at the stake. Seventeen more were executed in March, and a still greater number in the month following; and by the 4th of November in

[33] Ordenanças Reales, lib. 8, tit. 3, ley 26.

[34] Llorente, Hist. de l'Inquisition, tom. i. pp. 153–159.

the same year no less than two hundred and ninety-eight individuals had been sacrificed in the *autos da fe* of Seville. Besides these, the mouldering remains of many, who had been tried and convicted after their death, were torn up from their graves, with a hyena-like ferocity which has disgraced no other court, Christian or Pagan, and condemned to the common funeral pile. This was prepared on a spacious stone scaffold, erected in the suburbs of the city, with the statues of four prophets attached to the corners, to which the unhappy sufferers were bound for the sacrifice, and which the worthy Curate of Los Palacios celebrates with much complacency as the spot "where hertics were burnt, and ought to burn as long as any can be found." [35]

Many of the convicts were persons estimable for learning and probity; and among these three clergymen are named, together with other individuals filling judicial or high municipal stations. The sword of justice was observed, in particular, to strike at the wealthy, the least pardonable offenders in times of proscription.

The plague which desolated Seville this year, sweeping off fifteen thousand inhabitants, as if in

[35] Bernaldez, Reyes Católicos, MS., cap. 44.—Llorente, Hist. de l'Inquisition, tom. i. p. 160.—L. Marineo, Cosas memorables, fol. 164.—The language of Bernaldez as applied to the four statutes of the *quemadero*, "*en que* los quemavan," is so equivocal that it has led to some doubts whether he meant to assert that the persons to be burnt were inclosed in the statues or fastened to them. Llorente's subsequent examination has led him to discard the first horrible supposition, which realized the fabled cruelty of Phalaris.—This monument of fanaticism continued to disgrace Seville till 1810, when it was removed in order to make room for the construction of a battery against the French.

token of the wrath of Heaven at these enormities, did not palsy for a moment the arm of the Inquisition, which, adjourning to Aracena, continued as indefatigable as before. A similar persecution went forward in other parts of the province of Andalusia; so that within the same year, 1481, the number of the sufferers was computed at two thousand burnt alive, a still greater number in effigy, and seventeen thousand *reconciled;* a term which must not be understood by the reader to signify anything like a pardon or amnesty, but only the commutation of a capital sentence for inferior penalties, as fines, civil incapacity, very generally total confiscation of property, and not unfrequently imprisonment for life.[36]

The Jews were astounded by the bolt which had fallen so unexpectedly upon them. Some succeeded in making their escape to Granada, others to France, Germany, or Italy, where they appealed from the decisions of the Holy Office to the sovereign pontiff.[37] Sixtus the Fourth appears

[36] L. Marineo, Cosas memorables, fol. 164.—Bernaldez, Reyes Católicos, MS., cap. 44.—Mariana, lib. 24, cap. 17.—Llorente, Hist. de l'Inquisition, ubi supra.—L. Marineo diffuses the two thousand capital executions over several years. He sums up the various severities of the Holy Office in the following gentle terms. "The church, who is the mother of mercy and the fountain of charity, content with the imposition of penances; generously accords life to many who do not deserve it; while those who persist obstinately in their errors, after being imprisoned on the testimony of trustworthy witnesses, she causes to be put to the torture, and condemned to the flames. Some miserably perish, bewailing their errors, and invoking the name of Christ, while others call upon that of Moses. Many, again, who sincerely repent, she, notwithstanding the heinousness of their transgressions, *merely sentences to perpetual imprisonment.*" (!) Such were the tender mercies of the Spanish Inquisition.

[37] Bernaldez states that guards were posted at the gates of the city of Seville in order to prevent the emigration of the Jewish

for a moment to have been touched with something like compunction; for he rebuked the intemperate zeal of the inquisitors, and even menaced them with deprivation. But these feelings, it would seem, were but transient; for in 1483 we find the same pontiff quieting the scruples of Isabella respecting the appropriation of the confiscated property, and encouraging both sovereigns to proceed in the great work of purification, by an audacious reference to the example of Jesus Christ, who, says he, consolidated his kingdom on earth by the destruction of idolatry; and he concludes with imputing their successes in the Moorish war, upon which they had been entered, to their zeal for the faith, and promising them the like in future. In the course of the same year he expedited two briefs, appointing Thomas de Torquemada inquisitor-general of Castile and Aragon, and clothing him with full powers to frame a new constitution for the Holy Office. (Aug. 2 and Oct. 17, 1483.) This was the origin of that terrible tribunal, the Spanish or Modern Inquisition, familiar to most readers whether of history or romance, which for three centuries has extended its iron sway over the dominions of Spain and Portugal.[38] Without going into details respecting the organization of its various courts, which grad-

inhabitants, which indeed was forbidden under pain of death. The tribunal, however, had greater terrors for them, and many succeeded in effecting their escape. Reyes Católicos, MS., cap. 44.

[38] L. Marineo, Cosas memorables, fol. 164.—Zuñiga, Annales de Sevilla, p. 396.—Pulgar, Reyes Católicos, part. 2, cap. 77.—Garibay, Compendio, tom. ii. lib. 18, cap. 17.—Paramo, De Origine Inquisitionis, lib. 2, tit. 2, cap. 2.—Llorente, Hist. de l'Inquisition, tom. i. pp. 163–173.

ually swelled to thirteen during the present reign, I shall endeavor to exhibit the principles which regulated their proceedings, as deduced in part from the code digested under Torquemada, and partly from the practice which obtained during his supremacy.[39]

Edicts were ordered to be published annually, on the first two Sundays in Lent, throughout the churches, enjoining it as a sacred duty on all who knew or suspected another to be guilty of heresy to lodge information against him before the Holy Office; and the ministers of religion were instructed to refuse absolution to such as hesitated to comply with this, although the suspected person might stand in the relation of parent, child, husband, or wife. All accusations, anonymous as well as signed, were admitted; it being only necessary to specify the names of the witnesses, whose testimony was taken down in writing by a secretary, and afterwards read to them, which, unless the inaccuracies were so gross as to force themselves upon their attention, they seldom failed to confirm.[40]

[39] Over these subordinate tribunals Ferdinand erected a court of supervision, with appellate jurisdiction, under the name of Council of the Supreme, consisting of the grand inquisitor as president, and three other ecclesiastics, two of them doctors of law. The principal purpose of this new creation was to secure the interest of the crown in the confiscated property, and to guard against the encroachment of the Inquisition on secular jurisdiction. The expedient, however, wholly failed, because most of the questions brought before this court were determined by the principles of the canon law, of which the grand inquisitor was to be sole interpreter, the others having only, as it was termed, a "consultative voice." Llorente, tom. i. pp. 173, 174.—Zurita, Anales, tom. iv. fol. 324.—Riol, Informe, apud Semanario erudito, tom. iii. pp. 156 et seq.

[40] Puigblanch, Inquisition Unmasked, vol. i. chap. 4.—Llorente, Hist. de l'Inquisition, tom. i. chap. 6, art. 1; chap. 9, art. 1, 2.—The

The accused, in the mean time, whose mysterious disappearance was perhaps the only public evidence of his arrest, was conveyed to the secret chambers of the Inquisition, where he was jealously excluded from intercourse with all, save a priest of the Romish church and his jailer, both of whom might be regarded as the spies of the tribunal. In this desolate condition, the unfortunate man, cut off from external communication and all cheering sympathy or support, was kept for some time in ignorance even of the nature of the charges prefered against him, and at length, instead of the original process, was favored only with extracts from the depositions of the witnesses, so garbled as to conceal every possible clue to their name and quality. With still greater unfairness, no mention whatever was made of such testimony as had arisen, in the course of the examination, in his own favor. Counsel was indeed allowed from a list presented by his judges. But this privilege availed little, since the parties were not permitted to confer together, and the advocate was furnished with no other sources of information than what had been granted to his client. To add to the injustice of these proceedings, every discrepancy in

witnesses were questioned in such general terms that they were even kept in ignorance of the particular matter respecting which they were expected to testify. Thus, they were asked "if they knew anything which had been said or done contrary to the Catholic faith and the interests of the tribunal." Their answers often opened a new scent to the judges, and thus, in the language of Montanus, "brought more fishes into the inquisitors' holy angle." See Montanus, Discovery and Playne Declaration of sundry subtill Practises of the Holy Inquisition of Spayne, Eng. trans. (London, 1569), fol. 14.

the statements of the witnesses was converted into a separate charge against the prisoner, who thus, instead of one crime, stood accused of several. This, taken in connection with the concealment of time, place, and circumstance in the accusations, created such embarrassment that, unless the accused was possessed of unusual acuteness and presence of mind, it was sure to involve him, in his attempts to explain, in inextricable contradiction.[41]

If the prisoner refused to confess his guilt, or, as was usual, was suspected of evasion or an attempt to conceal the truth, he was subjected to the torture. This, which was administered in the deepest vaults of the Inquisition, where the cries of the victim could fall on no ear save that of his tormentors, is admitted by the secretary of the Holy Office, who has furnished the most authentic report of its transactions, not to have been exaggerated in any of the numerous narratives which have dragged these subterranean horrors into light. If the intensity of pain extorted a confession from the sufferer, he was expected, if he survived, which did not always happen, to confirm it on the next day. Should he refuse to do this, his mutilated members were condemned to a repetition of the same sufferings, until his obstinacy (it should rather have been termed his heroism) might be vanquished.[42] Should the rack, however, prove

[41] Limborch, Inquisition, book 4, chap. 20.—Montanus, Inquisition of Spayne, fol. 6–15.—Llorente, Hist. de l'Inquisition, tom. i. chap. 6, art. 1; chap. 9, art. 4–9.—Puigblanch, Inquisition Unmasked, vol. i. chap. 4.

[42] Llorente, Hist. de l'Inquisition, tom. i. chap. 9, art. 7.—By a subsequent regulation of Philip II., the repetition of torture in the same

ineffectual to force a confession of his guilt, he was so far from being considered as having established his innocence, that, with a barbarity unknown to any tribunal where the torture has been admitted, and which of itself proves its utter incompetency to the ends it proposes, he was not unfrequently convicted on the depositions of the witnesses. At the conclusion of his mock trial, the prisoner was again returned to his dungeon, where, without the blaze of a single fagot to dispel the cold or illuminate the darkness of the long winter night, he was left in unbroken silence to await the doom which was to consign him to an ignominious death, or a life scarcely less ignominious.[43]

The proceedings of the tribunal, as I have stated them, were plainly characterized throughout by the most flagrant injustice and inhumanity to the accused. Instead of presuming his innocence until his guilt had been established, it acted on exactly the opposite principle. Instead of affording him the protection accorded by every

process was strictly prohibited to the inquisitors. But they, making use of a sophism worthy of the arch-fiend himself, contrived to evade this law, by pretending, after each new infliction, that they had only suspended, and not terminated, the torture!

[43] Montanus, Inquisition of Spayne, fol. 24 et seq.—Limborch, Inquisition, vol. ii. chap. 29.—Puigblanch, Inquisition Unmasked, vol. i. chap. 4.—Llorente, Hist. de l'Inquisition, ubi supra.—I shall spare the reader the description of the various modes of torture, the rack, fire, and pulley, practised by the inquisitors, which have been so often detailed in the doleful narratives of such as have had the fortune to escape with life from the fangs of the tribunal. If we are to believe Llorente, these barbarities have not been decreed for a long time. Yet some recent statements are at variance with this assertion. See, among others, the celebrated adventurer Van Halen's "Narrative of his Imprisonment in the Dungeons of the Inquisition at Madrid, and his Escape, in 1817–18."

other judicature, and especially demanded in his forlorn situation, it used the most insidious arts to circumvent and to crush him. He had no remedy against malice or misapprehension on the part of his accusers, or the witnesses against him, who might be his bitterest enemies; since they were never revealed to, nor confronted with, the prisoner, nor subjected to a cross-examination, which can best expose error or wilful collusion in the evidence.[44] Even the poor forms of justice recognized in this court might be readily dispensed with, as its proceedings were impenetrably shrouded from the public eye by the appalling oath of secrecy imposed on all, whether functionaries, witnesses, or prisoners, who entered within its precincts. The last and not the least odious feature of the whole was the connection established between the condemnation of the accused and the interests of his judges; since the confiscations, which were the uniform penalties of heresy,[45] were not permitted to flow into the royal exchequer until

[44] The prisoner had indeed the right of challenging any witness on the ground of personal enmity. (Llorente, Hist. de l'Inquisition, tom. i. chap. 9, art. 10.) But as he was kept in ignorance of the names of the witnesses employed against him, and as, even if he conjectured right, the degree of enmity competent to set aside testimony was to be determined by his judges, it is evident that his privilege of challenge was wholly nugatory.

[45] Confiscation had long been decreed as the punishment of convicted heretics by the statutes of Castile. (Ordenanças Reales, lib. 8, tit. 4.) The avarice of the present system, however, is exemplified by the fact that those who confessed and sought absolution within the brief term of grace allowed by the inquisitors from the publication of their edict were liable to arbitrary fines; and those who confessed after that period escaped with nothing short of confiscation. Llorente, Hist. de l'Inquisition, tom. i. pp. 176, 177.

they had first discharged the expenses, whether in the shape of salaries or otherwise, incident to the Holy Office.[46]

The last scene in this dismal tragedy was the *act of faith* (auto da fe), the most imposing spectacle, probably, which has been witnessed since the ancient Roman triumph, and which, as intimated by a Spanish writer, was intended, somewhat profanely, to represent the terrors of the Day of Judgment.[47] The proudest grandees of the land,

[46] Ibid., tom. i. p. 216.—Zurita, Anales, tom. iv. fol. 324.—Salazar de Mendoza, Monarquía, tom. i. fol. 337.—It is easy to discern, in every part of the odious scheme of the Inquisition, the contrivance of the monks, a class of men cut off by their profession from the usual sympathies of social life, and who, accustomed to the tyranny of the confessional, aimed at establishing the same jurisdiction over thoughts which secular tribunals have wisely confined to actions. Time, instead of softening, gave increased harshness to the features of the new system. The most humane provisions were constantly evaded in practice; and the toils for ensnaring the victim were so ingeniously multiplied that few, very few, were permitted to escape without some censure. Not more than one person, says Llorente, in one or perhaps two thousand processes, previous to the time of Philip III., received entire absolution. So that it came to be proverbial that all who were not roasted were at least singed.

"Devant l'Inquisition, quand on vient à jubé,
Si l'on ne sort rôti, l'on sort au moins flambé."

[47] Montanus, Inquisition of Spayne, fol. 46.—Puigblanch, Inquisition Unmasked, vol. i. chap. 4.—Every reader of Tacitus and Juvenal will remember how early the Christians were condemned to endure the penalty of fire. Perhaps the earliest instance of burning to death for heresy in modern times occurred under the reign of Robert of France, in the early part of the eleventh century. (Sismondi, Hist. des Français, tom. iv. chap. 4.) Paramo, as usual, finds authority for inquisitorial autos da fe, where one would least expect it, in the New Testament. Among other examples, he quotes the remark of James and John, who, when the village of Samaria refused to admit Christ within its walls, would have called down fire from heaven to consume its inhabitants. "Lo!" says Paramo, "fire, the punishment of heretics; for the

on this occasion, putting on the sable livery of familiars of the Holy Office and bearing aloft its banners, condescended to act as the escort of its ministers; while the ceremony was not unfrequently countenanced by the royal presence. It should be stated, however, that neither of these acts of condescension, or, more properly, humiliation, was witnessed until a period posterior to the present reign. The effect was further heightened by the concourse of ecclesiastics in their sacerdotal robes, and the pompous ceremonial which the church of Rome knows so well how to display on fitting occasions, and which was intended to consecrate, as it were, this bloody sacrifice by the authority of a religion which has expressly declared that it desires mercy and not sacrifice.[48]

The most important actors in the scene were the unfortunate convicts, who were now disgorged for the first time from the dungeons of the tribunal. They were clad in coarse woollen garments, styled *san benitos,* brought close round the

Samaritans were the heretics of those times." (De Origine Inquisitionis, lib. 1, tit. 3, cap. 5.) The worthy father omits to add the impressive rebuke of our Saviour to his over-zealous disciples: "Ye know not what manner of spirit ye are of. The Son of man is not come to destroy men's lives, but to save them."

[48] Puigblanch, vol. i. chap. 4.—The inquisitors after the celebration of an auto da fe at Guadaloupe, in 1485, wishing probably to justify these bloody executions in the eyes of the people, who had not yet become familiar with them, solicited a sign from the Virgin (whose shrine in that place is noted all over Spain) in testimony of her approbation of the Holy Office. Their petition was answered by such a profusion of miracles that Dr. Francis Sanctius de la Fuente, who acted as scribe on the occasion, became out of breath, and, after recording sixty, gave up in despair, unable to keep pace with their marvellous rapidity. Paramo, De Origine Inquisitionis, lib. 2, tit. 2, cap. 3.

neck and descending like a frock down to the knees.[49] These were of a yellow color, embroidered with a scarlet cross, and well garnished with figures of devils and flames of fire, which, typical of the heretic's destiny hereafter, served to make him more odious in the eyes of the superstitious multitude.[50] The greater part of the sufferers were condemned to be *reconciled,* the manifold meanings of which soft phrase have been already explained. Those who were to be *relaxed,* as it was called, were delivered over, as impenitent heretics, to the secular arm, in order to expiate their offence by the most painful of deaths, with the consciousness, still more painful, that they were to leave behind them names branded with infamy, and families involved in irretrievable ruin.[51]

[49] *San benito,* according to Llorente (tom. i. p. 127), is a corruption of *saco bendito,* being the name given to the dresses worn by penitents previously to the thirteenth century.

[50] Llorente, Hist. de l'Inquisition, tom. i. chap. 9, art. 16.—Puigblanch, Inquisition Unmasked, vol. i. chap. 4.—Voltaire remarks (Essai sur les Mœurs, chap. 140) that "An Asiatic, arriving at Madrid on the day of an auto da fe, would doubt whether it were a festival, religious celebration, sacrifice, or massacre: it is all of them. They reproach Montezuma with sacrificing human captives to the gods. What would he have said had he witnessed an auto da fe?"

[51] The government, at least, cannot be charged with remissness in promoting this. I find two ordinances in the royal collection of *pragmáticas,* dated in September, 1501 (there must be some error in the date of one of them), inhibiting, under pain of confiscation of property, such as had been *reconciled,* and their children by the mother's side, and grandchildren by the father's, from holding any office in the privy council, courts of justice, or in the municipalities, or any other place of trust or honor. They were also excluded from the vocations of notaries, surgeons, and apothecaries. (Pragmáticas del Reyno, fol. 5, 6.) This was visiting the sins of the fathers, to an extent unparalleled in modern legislation. The sovereigns might find a precedent in a law of Sylla, excluding the

It is remarkable that a system so monstrous as that of the Inquisition, presenting the most effectual barrier, probably, that was ever opposed to the progress of knowledge, should have been revived at the close of the fifteenth century, when the light of civilization was rapidly advancing over every part of Europe. It is more remarkable that it should have occurred in Spain, at this time under a government which had displayed great religious independence on more than one occasion, and which had paid uniform regard to the rights of its subjects and pursued a generous policy in reference to their intellectual culture. Where, we are tempted to ask, when we behold the persecution of an innocent, industrious people for the crime of adhesion to the faith of their ancestors,—where was the charity which led the old Castilian to reverence valor and virtue in an infidel, though an enemy,—where the chivalrous self-devotion which led an Aragonese monarch, three centuries before, to give away his life in defence of the persecuted sectaries of Provence,—where the independent spirit which prompted the Castilian nobles, during the very last reign, to reject with scorn the purposed interference of the pope himself in their concerns, that they were now reduced to bow their necks to a few frantic priests, the members of an order which, in Spain at least, was quite as conspicuous for ignorance as intolerance? True, indeed, the Castilians, and the Aragonese subse-

children of the proscribed Romans from political honors; thus indignantly noticed by Sallust: "Quin solus omnium, post memoriam hominum, supplicia in post futuros composuit; *quis prius injuria quàm vita certa esset.*" Hist. Fragmenta, lib. 1.

quently still more, gave such evidence of their aversion to the institution, that it can hardly be believed the clergy would have succeeded in fastening it upon them, had they not availed themselves of the popular prejudices against the Jews.[52] Providence, however, permitted that the sufferings thus heaped on the heads of this unfortunate people should be requited in full measure to the nation that inflicted them. The fires of the Inquisition, which were lighted exclusively for the Jews, were destined eventually to consume their oppressors. They were still more deeply avenged in the moral influence of this tribunal, which, eating like a pestilent canker into the heart of the monarchy, at the very time when it was exhibiting a most goodly promise, left it at length a bare and sapless trunk.

Notwithstanding the persecutions under Torquemada were confined almost wholly to the Jews, his activity was such as to furnish abundant precedent, in regard to forms of proceeding, for his successors; if, indeed, the word forms may be applied to the conduct of trials so summary that the tribunal of Toledo alone, under the superintendence of two inquisitors, disposed of three thousand three hundred and twenty-seven processes in little more than a year.[53] The number of convicts

[52] The Aragonese, as we shall see hereafter, made a manly though ineffectual resistance, from the first, to the introduction of the Inquisition among them by Ferdinand. In Castile, its enormous abuses provoked the spirited interposition of the legislature at the commencement of the following reign. But it was then too late.

[53] 1485–6. (Llorente, Hist. de l'Inquisition, tom. i. p. 239.)—In Seville, with probably no greater apparatus, in 1482, 21,000 processes were disposed of. These were the first-fruits of the Jewish

was greatly swelled by the blunders of the Dominican monks, who acted as qualificators, or interpreters of what constituted heresy, and whose ignorance led them frequently to condemn, as heterodox, propositions actually derived from the fathers of the church. The prisoners for life, alone, became so numerous that it was necessary to assign them their own houses as the places of their incarceration.

The data for an accurate calculation of the number of victims sacrificed by the Inquisition during this reign are not very satisfactory. From such as exist, however, Llorente has been led to the most frightful results.* He computes that during the eighteen years of Torquemada's ministry there were no less than 10,220 burnt, 6860 condemned and burnt in effigy as absent or dead, and 97,321 reconciled by various other penances; affording an average of more than 6000 convicted persons annually.[54] In this enormous sum of human

heresy, when Torquemada, although an inquisitor, had not the supreme control of the tribunal.

[54] Llorente afterwards reduces this estimate to 8800 burnt, 96,504 otherwise punished; the diocese of Cuenca being comprehended in that of Murcia. (Tom. iv. p. 252.) Zurita says that, by 1520, the Inquisition of Seville had sentenced more than 4000 persons to be burnt, and 30,000 to other punishments. Another author, whom he quotes, carries up the estimate of the total condemned by this single tribunal, within the same term of time, to 100,000. Anales, tom. iv. fol. 324.

* [No wonder that Isabella felt compelled to apologize for participation in the evil. "For the love of Christ and of His Holy Mother, I have caused great calamities, I have depopulated towns and provinces and kingdoms, but I have never touched a maravedi of confiscated property, and I have employed the money in educating and dowering the children of the condemned."—M.]

misery is not included the multitude of orphans who, from the confiscation of their paternal inheritance, were turned over to indigence and vice.[55] Many of the reconciled were afterwards sentenced as relapsed; and the Curate of Los Palacios expresses the charitable wish that "the whole accursed race of Jews, male and female, of twenty years of age and upwards, might be purified with fire and fagot!"[56]

The vast apparatus of the Inquisition involved so heavy an expenditure that a very small sum, comparatively, found its way into the exchequer, to counterbalance the great detriment resulting to the state from the sacrifice of the most active and skilful part of its population. All temporal interests, however, were held light in comparison with the purgation of the land from heresy; and such augmentations as the revenue did receive, we

[55] By an article of the primitive instructions, the inquisitors were required to set apart a small portion of the confiscated estates for the education and Christian nurture of minors, children of the condemned. Llorente says that, in the immense number of processes which he had occasion to consult, he met with no instance of their attention to the fate of these unfortunate orphans! Hist. de l'Inquisition, tom. i. chap. 8.

[56] Reyes Católicos, MS., cap. 44.—Torquemada waged war upon freedom of thought in every form. In 1490, he caused several Hebrew Bibles to be publicly burnt, and some time after, more than 6000 volumes of Oriental learning, on the imputation of Judaism, sorcery, or heresy, at the autos da fe of Salamanca, the very nursery of science. (Llorente, Hist. de l'Inquisition, tom. i. chap. 8, art. 5.) This may remind one of the similar sentence passed by Lope de Barrientos, another Dominican, about fifty years before, upon the books of the marquis of Villena. Fortunately for the dawning literature of Spain, Isabella did not, as was done by her successors, commit the censorship of the press to the judges of the Holy Office, notwithstanding such occasional assumption of power by the grand inquisitor.

are assured, were conscientiously devoted to pious purposes, and the Moorish war![57]

The Roman see, during all this time, conducting itself with its usual duplicity, contrived to make a gainful traffic by the sale of dispensations from the penalties incurred by such as fell under the ban of the Inquisition, provided they were rich enough to pay for them, and afterwards revoking them, at the instance of the Castilian court. Meanwhile, the odium excited by the unsparing rigor of Torquemada raised up so many accusations against him that he was thrice compelled to send an agent to Rome to defend his cause before the pontiff; until, at length, Alexander the Sixth, in 1494, moved by these reiterated complaints, appointed four coadjutors, out of a pretended regard to the infirmities of his age, to share with him the burdens of his office.[58]

This personage, who is entitled to so high a rank among those who have been the authors of unmixed evil to their species, was permitted to reach a very old age, and to die quietly in his bed. Yet he lived in such constant apprehension of assassination, that he is said to have kept a reputed unicorn's horn always on his table, which was imagined to have the power of detecting and neutral-

[57] Pulgar, Reyes Católicos, part. 2, cap. 77.—L. Marineo, Cosas memorables, fol. 164.—The prodigious desolation of the land may be inferred from the estimates, although somewhat discordant, of deserted houses in Andalusia. Garibay (Compendio, lib. 18, cap. 17) puts these at three thousand, Pulgar (Reyes Católicos, part. 2, cap. 77) at four, L. Marineo (Cosas memorables, fol. 164) as high as five.

[58] Llorente, Hist. de l'Inquisition, tom. i. chap. 7, art. 8; chap. 8, art. 6.

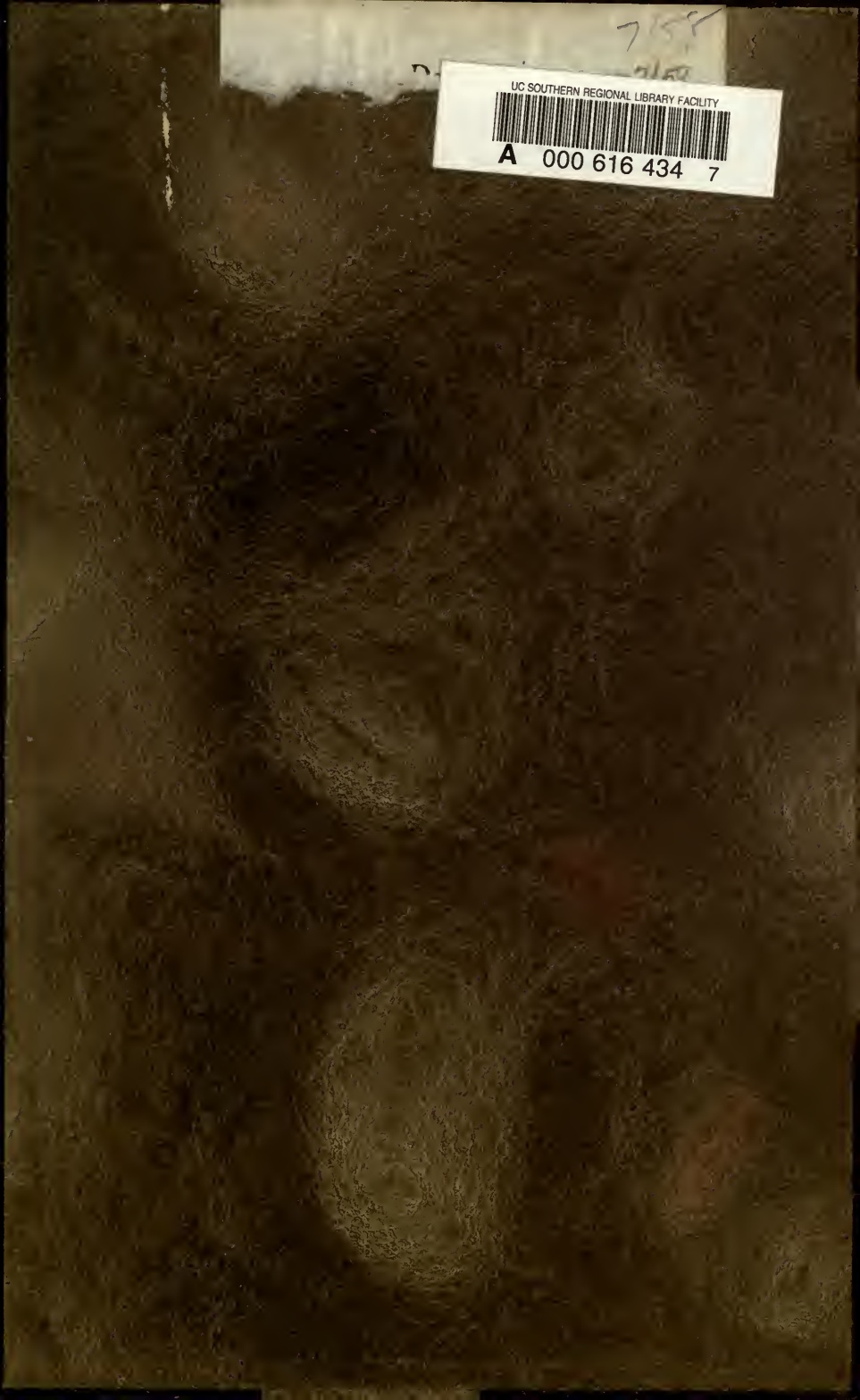
izing poisons; while, for the more complete protection of his person, he was allowed an escort of fifty horse and two hundred foot in his progresses through the kingdom.[59]

This man's zeal was of such an extravagant character that it may almost shelter itself under the name of insanity. His history may be thought to prove that of all human infirmities, or rather vices, there is none productive of more extensive mischief to society than fanaticism. The opposite principle of atheism, which refuses to recognize the most important sanctions to virtue, does not necessarily imply any destitution of just moral perceptions, that is, of a power of discriminating between right and wrong, in its disciples. But fanaticism is so far subversive of the most established principles of morality, that, under the dangerous maxim, "For the advancement of the faith, all means are lawful," which Tasso has rightly, though perhaps undesignedly, derived from the spirits of hell,[60] it not only excuses but enjoins the commission of the most revolting crimes, as a sacred duty. The more repugnant, indeed, such crimes may be to natural feeling or public sentiment, the greater their merit, from the sacrifice which the commission of them involves. Many a bloody page of history attests the fact that fanaticism armed with power is the sorest evil which can befall a nation.

[59] Nic. Antonio, Bibliotheca Vetus, tom. ii. p. 340.—Llorente, Hist. de l'Inquisition, tom. i. chap. 8, art. 6.

[60] "Per la fè—il tutto lice." Gerusalemme Liberata, cant. 4, stanza 26.

Don Juan Antonio Llorente is the only writer who has succeeded in completely lifting the veil from the dread mysteries of the Inquisition. It is obvious how very few could be competent to this task, since the proceedings of the Holy Office were shrouded in such impenetrable secrecy that even the prisoners who were arraigned before it, as has been already stated, were kept in ignorance of their own processes. Even such of its functionaries as have at different times pretended to give its transactions to the world have confined themselves to an historical outline, with meagre notices of such parts of its internal discipline as might be safely disclosed to the public. Llorente was secretary to the tribunal of Madrid from 1790 to 1792. His official station consequently afforded him every facility for an acquaintance with the most recondite affairs of the Inquisition; and on its suppression at the close of 1808 he devoted several years to a careful investigation of the registers of the tribunals, both of the capital and the provinces, as well as of such other original documents contained within their archives as had not hitherto been opened to the light of day. In the progress of his work he has anatomized the most odious features of the institution with unsparing severity; and his reflections are warmed with a generous and enlightened spirit, certainly not to have been expected in an ex-inquisitor. The arrangement of his immense mass of materials is indeed somewhat faulty, and the work might be recast in a more popular form, especially by means of a copious retrenchment. With all its subordinate defects, however, it is entitled to the credit of being the most, indeed the only, authentic history of the Modern Inquisition; exhibiting its minutest forms of practice, and the insidious policy by which they were directed, from the origin of the institution down to its temporary abolition. It well deserves to be studied, as the record of the most humiliating triumph which fanaticism has ever been able to obtain over human reason, and that, too, during the most civilized periods and in the most civilized portion of the world. The persecutions endured by the unfortunate author of the work prove that the embers of this fanaticism may be rekindled too easily, even in the present century.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